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# CALENDAR

OF

# HISTORICAL MANUSCRIPTS,

RELATING TO THE

# WAR OF THE REVOLUTION,

IN THE OFFICE OF THE

## SECRETARY OF STATE,

ALBANY, N. Y

VOL. II.

ALBANY:
WEED, PARSONS AND COMPANY, PRINTERS.
1868.

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# STATE OF NEW YORK.

## IN SENATE.

ALBANY, *April* 24, 1863.

*Resolved*, That the Clerk of the Senate cause to be printed 500 copies of the Calendar to the Land Papers, from 1643 to 1803, and the Calendar to the Historical Manuscripts, from 1638 to 1801.

By order of the Senate,

JAS. TERWILLIGER, *Clerk.*

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# PREFACE.

In 1842, the Legislature authorized the printing of the JOURNAL OF THE NEW YORK PROVINCIAL CONGRESS, which work was accordingly published in two volumes folio. The first volume contained the Journal, proper; the second consisted of Correspondence.

During their Sessions sundry papers were laid before the Congress and placed on file, reference being occasionally made to them in the minutes. These papers consisted of Credentials of Delegates; Lists of persons who had signed, or refused to sign, the Association to sustain the Continental Congress and Provincial Convention; Petitions; Proceedings of the Military Committee; Military Returns, and other Miscellaneous Papers, which were not printed in the Journal.

JOHN MCKESSON, one of the Secretaries of the Congress, having deposited these Manuscripts in the office of the Secretary of State, they were ordered, in 1822, to be bound, and were accordingly included in sixteen volumes. Unfortunately, however, no chronological order was observed in the arrangement of the papers, which were mixed up promiscuously, without any reference to dates, and, in many instances, documents were separated, part having been bound in one volume, and part in others.

After much study and labor, copies of these papers have been brought together in proper order and chronologically arranged as now printed, and a few Petitions and Muster Rolls have been added from the unpublished "Assembly Papers" in the office of the Secretary of State.

The title and number of the manuscript volume, as well as the page, are given at the head of each document, in order that the original may hereafter be consulted, in case such reference be found necessary.

A General Index will be found at the end of the second volume of this work, which will facilitate any research or inquiry Historical or Genealogical writers may desire to make.

ALBANY, N. Y., July, 1868.

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# NEW YORK REVOLUTIONARY PAPERS.

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*Minutes of the Committee on the Arrangement of the N. Y. Continental Regiments.*

[Miscel. Pap. 38: 679.]

The Committee to whom was referred the Letters from the Hon. John Hancock & Wm Duer Esqrs together with the resolutions enclosed humbly report the following resolutions & draft of a Letter.

*Resolved* that the Committee of arrangement be directed immediately to report a list of the names of all persons appointed by them to commands in the Continental Army together with the time of their appointment & the dates of their respective commissions in order that the same may be transmitted to the board of war.

Agreed to.

*Resolved* that Letters be written to all the Collsa or Commanding Officers of Regiments within this State who have not made returns of their respective regiments enclosing them copies of the first & second resolutions past in Congress on the 14th of Apl last & Directing them immediately to make exact returns of the number of men in their respective regiments.

Agreed to.

*Resolved*, that every person within this State who is exempt from military duty either on account of his advanced age, his religious Sect or profession, his trade or occupation (other than such men as are employed at Iron works & have particular exemption by resolution of this house) be enrolled with the Coll. of the regiment within whose beat they reside & be by him classed either by lot or otherwise five in each class, & that each class procure by the first day of June next one man to enlist in the Continental service for three years or during the war, Or in lieu thereof pay to the Coll. or commanding Officer of the regiment in which they are enrolled the sum of fifty dollars to be paid by him to the Treasurer of this State.

Postponed.

*Resolved* that the above resolutions shall not extend to any person above the age of sixty years whose real & personal estate shall not be adjudged by the Field Officers or the Major part of them within whose beat he resides to be worth more than three hundred pounds, nor to any minister of the Gospel.

Postponed.

*Resolved* that when any such class shall refuse or neglect to furnish a Soldier for one month after such class is formed or to pay the said sum of 50 dollars, the Coll. of the regiment to which the said class shall belong shall levy the said sum by distress & sale of goods of such persons as shall refuse to pay the same.

Postponed.

*Resolved*, that where any class shall have procured a man agreeable to the above resolutions to inlist for three years or during the war in either of the five regements raised within this State under the direction thereof that they receive a Certificate thereof from the Justice of the peace before whom the said soldier was sworn, countersigned by the recruiting Officer to whom the same was delivered.

Postponed.

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[Miscel. Pap. 36: 14.]

In Committee appointed by the Convention of the State of New York for arranging y^e Officers of the four Battalions directed to be raised in this State by the General Congress & for executing their resolutions relative thereto.

Cap^t Platt requests of this Com^e that his Son Zepheniah Platt may be ommitted in the present arrangm^t, as his private affairs render his Continuance at home indispensable.

*Resolved* that Capt. Platts request be complied with, tho as his Son is recommended as a good Officer they wish it had been convenient to him to have continued in the Service.

21^st Nov^r 1776.

[Miscel. Pap. 35: 357.]

In Committee of Arrangement, Fishkill, Dec. 12^th 1776.

*Present:* Rob^t Harper, Chairman, M^r Duane,
Col Duer, Col Dewit.

*Resolved* that Capt Abraham Ricker & Capt John Copp be appointed Capts in one of the four battalions of this State, also that Tho^s M^cKane be appointed a Capt in the same.

Lt Col Hulbert has informed Col Duer & Mr Duane that he had resigned and would not any longer Continue in Service.

A letter from Nathn^l Hazard Dec 9^th 1776 informing of the resignation of Mr John Grannel & of Mr Slaus Hobart recommendation of Nathaniel Platt for a Capt.

A letter from Lt Col Hulbert Dec 9^th 1776 informing the Committee of his resignation, at the same time recommending Benj^n Marvin as an officer of Merit for a Lieutenancy.

A letter from Capt John Johnson Nov 17^th 1776 recommending Lt John Johnson for a Capt of Marines & Sergt Major Jas. Barrett as worthy of a Commission.

A letter from Lt Col Weisenfels of Dec 2^d 1776 informing of the resignation of Capt John Johnson, Rich^d Platt, Brigade Major and Elijah Hunter. Also Lt Jas M. Hughes & John Johnson, recommending Capt^s Copp, Gershom Mott, John Brogden and Lieuts Hugh M^cClellan & John Nicolls — also Simon Crygier for an Ensign.

A letter from Jelles Fonda of 22^d Nov recommending Capt M^cKane, 1^st L^t Ebenezer French, 2^d Lieut Albert Vandewarka, Garret Pottman, & Major Robert Cochran, which last he says would chose to be in service as a Ranger.

A letter from Samuel Sackett of 27^th Nov^r Cap^t informing of the resignation of Lieut Ebenezer Mott, Joshua Drake Ensign. Also recommending Mr Gilbert Strang as a very fit person for an Officer, requesting that he may be appointed ensign to his Company.

A Certificate from Messrs W^m Harper and John Moore of the 29^th Nov^r recommending Cap t M^cKane & Lieut French as good and worthy Officers — also the dismission of Capt Sebars Company.

A letter from Rev John Mason Nov^r 26^th 1776 requesting a Chaplaincy in one of our battalions.

A letter from Ja^s Cuyler Esq 9^th Decmb^r informing that Mr Valkenburgh who was left out of the arrangement on declining to serve, is now willing to continue in service and recommending him as a good Officer — also that Mr Samuel Thorn will accept, and that Mr Henry Devendorf who was mentioned to us as indifferent, has done some extraordinary services for which he recommends him for a good Officer.

A letter from Col P. Gansevoort of the 3^d Dec^m last recommending Henry Colbraith and M^cClannen for Ensigns, he has sent them out to recruit.

A Note from Gen^l James Clinton of Dec^m 6^th inst recommending George Dennison for an Ensign in Capt Gregg's Company.

A letter from Jas Magee of 29^th Nov 1776 recommending his Brother 2^d Lieut Peter Magee for an appointment on the new establishment.

A letter from Surjeon Benj^n Curtis of Nov 3^d 1776 wherein he resigns his Office.

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A letter from Robt Provost Dec 7th inst appointed a Paymaster by General Washington requesting to be continued.

A letter from Major Ben Ledyard Dec 12th recommending Theodosius Fowler as First Lieut to Capt Walker.

A letter from Genl Jas Clinton of Decm 2d 1776 recommending Captain Rosecrans & Lieut Lee.

A letter from Col Van Schaick Dec 5th enclosing the resignation of Capt Samuel Van Veghten & Garret Vader. Also of 2d Lieuts John Lansing & Bartholomew Van Valkenburgh & of Ensigns John Vernor & John J. Ten Eyck, Abm. G. Lansing & Peter S. Schuyler. the Col informs that Major Christopher P. Yates, 1st Lieut John Hooghkirk, 2d Lieut Abm Hardenburgh, 2d Lieut Wm Scudder, 2d Lieut John Ostrander, 1st Lieut Adiel Sherwood & Ensign Peter J. Hoogaboom had return'd him no answer. Lieut Cornelius Bicker recommended by Cap Anthony Rutgers Dec 14th to be provided for in the new arrangement. Ezekiel Cooper who went 1st Lieut with Capt Billings to Canada, when the regt was discharged at Montreal was appointed Capt by General Montgomery & served at Quebeck last winter, was appointed Capt this Spring & now serves on the Mohawk river.

In Committee of Arrangement, Fishkill, Dec 14th 1776.

*Present:* Robert Harper, Chairman, Mr Duane, Mr Jay, Col Duer, Col Dewit.

*Resolved* that Capt Abraham Ricker be & he is hereby, appointed Capt in the 1st Company of the Regiment commanded by Col Cortlandt in the room of Capt John Johnson who has resigned & that a Copy of this resolve with his instructions be immediately sent him by the Chairman together with the names of his subaltern officers.

*Resolved* that Recruiting instructions be immediately given to Capt John Copp for enlisting a Company in Col Van Schaicks regiment & that this committee pledge themselves, that he shall be placed in such rank on the Continental establishment as he is entitled to from his former Commission.

*Resolved* that Capt Robert McKane be & he is hereby appointed Capt of a Company in Col Van Schaicks Regiment & that this Committee pledge themselves that he shall be placed in such rank in the continental establishment as he is entitled to from his former commission.

*Resolved* unanimously that Jacob Morris Esq be & he is hereby appointed a Major to the Regiment commanded by Col Dubois.

*Resolved* that Amos Hutchins Esq be & he is hereby appointed a Capt of a Company in Col Dubois' Regiment.

*Resolved* that James Stewart Esq be & he is hereby appointed a Capt in the Regiment of Col Dubois.

*Resolved* that Philip Duboise Bevier Esq be & he is hereby appointed a Capt in the Regmt commanded by Col Dubois.

*Resolved* that Brinton Payne Esq be & he is hereby appointed a Capt in the Regmt of Col Dubois.

*Resolved* that Wm J. Smith Esq be & he is hereby appointed a Capt in the Regmt commanded by Col Dubois.

*Resolved* that Henry Godwin Esq be & he is hereby appointed a Capt in the regiment commanded by Col Dubois.

*Resolved* that Samuel English be & he is hereby appointed a 2d Lieut in Col Dubois' Regiment.

*Resolved* that Edward Weaver Gent be & he is hereby appointed an Ensign in Col Dubois' Regmt.

*Resolved* that Thomas Lewis Gent be & he is hereby appointed an Ensign in Col Dubois' Regiment.

*Resolved* that Henry J. Vanderbergh Gent be & he is hereby appointed an Ensign in Col Dubois' Regmt.

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*Resolved* that Nathaniel Birdsall Gent be & he is hereby appointed an Ensign in Col Dubois' Regmt.

*Resolved* that Jacobus Sleght Gent be & he is hereby appointed an Ensign in Col Dubois' Regmt.

*Resolved* that —— Thompson late a Sergeant in Col Humphreys Regmt be & he is hereby appointed an Ensign in Col Dubois' Regiment.

*Resolved* that Henry Dubois Esq be & he is hereby appointed Adjutant to the regiment commanded by Col Dubois.

*Resolved* that John M^c^Claughery be & he is hereby appointed Quarter Master to Col Dubois' Regiment.

*Resolved* that Albert Pawling Esq be & he is hereby appointed Aid Major to the Regmt of Col Dubois with the pay of a major in the Continental Service and with the rank he is entitled to by his former commission in Col Dubois' Regmt.

*Resolved* that recruiting instructions be sent to the respective Captains & Ensigns above appointed & that the Copy of the resolution appointing each of them respectively be endorsed on their respective instructions.

*Resolved* that application be made to the Convention for an advance of the sum of ——— out of the treasury of this State towards the bounty for recruiting the said Regmt.

*Resolved* that Dr John Coats be appointed Surgeon to the said Regiment, That Teunis Toppen be & he is hereby appointed Paymaster to said Regmt.

*Resolved* that Col Dewit be requested to transmit to Major Pauling, the resolution of his appointment & to inform him that it is the earnest wish of the Committee of Arrangement that he may accept the same.

*Resolved* that Henry Pauling who is appointed a 1^st^ Lieut in Col Gansevoorts regiment, be removed to the Regmt to be raised & appointed by Col Dubois & that he hold the same rank there that he was entitled to by a former commission.

A letter from Genl George Clinton of this date recommending Lieut Lawrence to an appointment on the new arrangement.

*Resolved* that Lieut Andrew Lawrence be & he is hereby appointed a Lieut in the Regmt of Col Dubois.

A letter from John M^c^Kesson Esq recommending Mr Alexander M^c^Arthur & Mr John I. Myers to appointments on the new arrangement.

*Resolved* that Mr Alexander M^c^Arthur be & he is hereby appointed a 2^d^ Lieut in the Regmt of Col Dubois.

*Resolved* that Simon Crygier be & he is hereby appointed an Ensign in the Regmt commanded by Col. Cortlandt and Capt Jonathan Hallets Company.

In Committe of Arrangement, Fishkill, Decm 18^th^ 1776.

*Present:* Robert Harper, Chairman P. T., Col. Duer, Col. Dewit.

Jacobus A. Rosa, Ensign, now of Capt. Jacksons Company in the late Regiment of Genl Ja^s^ Clinton, recommended by said Gen^l^ as an Ensign in Capt. Israel Smiths Company of Col. Livingston's Regmt, & 2^d^ lieut. Peter Ellsworth in the room of L^t^ Lee should he resign. 1^st^ L^t^ Lee also recommended by the Genl to a commission preserving his rank in any of the new Regmts.

A letter recd from Capt. Ben. Walker requesting that as he is unwell, Subalterns may be appointed immediately & Clothing given to his men.

General J. Clinton recommends Andrew Harkness a Sergeant in Capt. Jackson's Company for an Ensignsee. Said Harkness is a good Pensman & Arithmetician. The Genl informs that John M^c^Claugery would suit an ensignsee better than the quartermastership he is now appointed to, the 14^th^ inst. & that the present quartermaster Nehemiah Carpenter in the said Regmt. will accept & in the General's opinion is much better qualified.

In Committee of Arrangement, Fishkill, Dec. 20^th^ 1776.

*Resolved* that Mr. Josiah Bagley be & he is hereby appointed an Ensign in the Regiment commanded by Col. Gansevort.

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Mr. Gansevort recommends Silas Grey as a good Officer & is worthy the notice of the committee, that Col. Gansevort would be happy in having him appointed a 2d Lieut. in his Battalion. Memorandum: John Houston, *now* the 8th Capt. in Col. Gansevorts was a 2d Lieut. last year; Jonathan Pearcy, *now* 1st Lieut. in 1st Company of said Regmt was a 1st Lieut. last Year & returned from Canada in June last.

Agreeable to the proposals sent to Capt. Rosecrans of his chusing whether he should go into Colonel Dubois' or Livingston's Regmt he has chosen the former.

*Resolved* that he continue in Col. Dubois' Regmt.

Decr 22d 1776.

*Resolved* that Henry Swartwout, Edward Weaver, John McCloughrey, Jacobus Sleght, Henry J. Vanderberg, Nathaniel Birdsall, and Thomas Lewis be & they are hereby appointed Ensigns in the Regmt commanded by Col. Dubois.

Col. Duboys Officers on the new Arrangement:

| Captains. | Ensigns. |
|---|---|
| Jacobus Rosecrans, | Henry Swartwout, |
| Amos Hutchins, | Edward Weaver, |
| James Stewart, | Thos Lewis, |
| Philip Dubois Bevier, | Henry J. Vandenburgh, |
| Brinton Payne, | Nath. Birdsall, |
| Wm J. Smith, | Jacobus Sleght, |
| Harry Godwin. | ——— Thompson, |
| | John McClaughery. |
| 2d Lieuts. | |
| Saml English, | Henry Duboys, Adjt., |
| Alexr McArthur. | Nehemiah Carpenter, Quartermaster. |

Resignations of Officers received by the Committe of Arrangements from the —— day of —— to the 14th Day of Decr inclusive:

| Vanschaicks. | Courtlandts. | Gansevoorts. | Livingstons. |
|---|---|---|---|
| Garret Veeder, Capt., | Richard Platt, | | Lt. Col. Hulbert. |
| Saml Van Veghten, do. | Elijah Hunter, | | |
| 1st Lieut. | John Johnson. | | |
| John Lansing, Jun. | 1st Lieuts. | | |
| Ensigns. | James M. Hughes. | | |
| John Verner, | 2d Lieuts. | | |
| John J. Ten Eyck, | John Johnson. | | |
| Abraham G. Lansing, | | | |
| Peter S. Schuyler. | | | |

Dec. 22d 1776. Col. Dubois requests that the Rev. John Mason be appointed a Chaplain to his Regiment.

Dec. 23d 1776. *Resolved*, that Samuel Lewis be & he is hereby appointed an Ensign in Capt. Abraham Swartwout's Company & Col. Gansevoort's Regiment.

Dec. 23d 1776. *Resolved* that Lieut. Thomas Lee be & he is hereby appointed a Captain in the Regiment commanded by Col. Dubois.

Dec. 23d 1776. *Resolved* that the following be agreeable to the request of Col. Dubois the rank Roll of his Regmt & that the Officers do hold their respective ranks in the continental Establishment agreeable to their former Commissions.

| | |
|---|---|
| Jacobus Rosecrans, 1st Capt. | Capt. resigned. |
| Henry Dodge, 1st Lieut. | Henry Vanderberg, 1st Lieut. |
| Samuel Dodge, 2d Lieut. | James Betts, 2d Lieut. |
| Henry Swartwout, Ensign. | Henry J. Vanderberg, Ensign. |
| Amos Hutchins, Capt. | William J. Smith, Capt. |
| Patton Jackson, 1st Lieut. | |
| John Forman, 2d Lieut. | |
| Edward Weaver, Ensign. | |

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James Stewart, Capt.
John Burnet, 1st Lieut.
Alexander McArthur, 2d Lieut.
John McCloughrey, Ensign.

Henry Godwin, Capt.
Andrew Laurence, 1st Lieut.
Ebenezer Mott, 2d Lieut.
Thomas Lewis, Ensign.

Philip Duboys Bevier, Capt.
Thomas Brinkley, 1st Lieut.
Samuel English, 2d Lieut.
Jacobus Sleght, Ensign.

Thomas Lee, Capt.
Henry Pauling, 1st Lieut.
Nathaniel Birdsall, 2d Lieut.
Thomas Beyux, Ensign.

*Memorandum.* Col Dubois requests that the same sum be granted him as was to the other Cols—he has drawn £1500 already of that sum & wants £1500 more immediately.

Dec. 24—2d Lieut Daniel Lawrence applies for to be taken as an Officer in the new arrangement, he entered a 2d Lieut in Rosecrans' Company last Feby—was a Lieut of the Militia before—can be recommended by Gen J. Clinton—Mr McNeal recommends him as a strict good Officer—Mr Sackett knows him as also Mr Gilbert Livingston.

25th *Resolved*, that Barent J. Ten Eyck Esq be and he is hereby appointed a Captain in the Regiment Commanded by Col Goose Van Schaick.

30th *Resolved* that Jeremiah C. Miller Gent be & he is hereby appointed an Ensign in the Regmt Commanded by Col Van Schaick.

*Memorandum.* Jonathan Piercy was the eldest 1st Lieut in the first four Regiments & then said to be the first man to be prefered to a Company.

Jany 1st Mr Timothy Smith of Goshen (an Ensign) resigns; he will recommend an Ensign in his Stead if agreeable.

January 2d 1777.

Mr Harper proposes the following resolve for the approbation of the Committee of Arrangements Viz that 1st Lieut Jonathan Piercy who was the eldest first Lieut in the first four Regmts of this State be & he is hereby appointed a Captain in the room of Captain Brinton Payne of Col Duboys Regiment who has resigned & that he the said Piercy shall preserve the Rank he is entitled to from his former Commission.

*Resolved* that Mr Christopher Hutton be and he is hereby appointed an Ensign in the Regmt Commanded by Col Gansevoort & in Capt Henry Tiebouts Company.

Jany 1st 1777.

Timothy Smith Ensign told the chairman he had declined serving, and Joshua Hubbard a good looking young fellow desires to be put in his room. Said Hubbard was a Corporal in Capt Chas Grahams Company & from Suffolk County.

Capt Jacob Wright recommended by Genl Scott as an excellent officer for a Capt on the new arrangement.

Timothy Hughes, Nathanl Henry Lieuts in Col Nicholsons Regiment also Lieut Guy Young for Lieuts & Jonathan Brown, Francis Shaw & Bennet for Ensigns—Recommended by Col Van Schaick.

Jeremiah Lansing recommended for a paymstr to Col Gansevoorts Regmt or any other by the President Gen Ten Broeck.

Capt Danl Griffin 1st Capt in J. Clinton's Regmt, recommended for Lt Col to Col Livingstons regiment—he is before Lt Col Hulbert in Rank—He & Benjamin Marvin petitioned the Convention on the 23 December 1774.

Sergt William Erskin recommended by Capt Godwin as an excellent fellow for an Ensign & requests him for his Company.

Dr William Mead recommended to Col Cortlandts Regiment by Mr Jay, Capt Pell & others as a good Surgeon—he has lodged a Certificate of his Examination by Dr Bard with the Convention by the hands of Mr Tompkins.

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[Miscel. Pap. 38: 499.]

FISHKILL, Jan^y 13^th 1777.

At a meeting of the Committee of Arrangements.

*Present:* Robert Yates, Chairman, Robert Harper,
James Duane, John Jay.

William Goforth is appointed a Lieut Coll in the 4^th Batt. in the room of Hulbert who resigned.

Henry Diefendorph appointed as 1^st Lieut in M^cCracken's Company in the Room of Leonard Bleecker.

Jonathan Brown app^d Ensign in the Room of John Vernon who resigned in the same Company.

Nathaniel Henry 2^nd Lieut in the Room of Jn^o Lansing in Grahams Company.

And Thomas Hicks in the Room of Ten Eyck Ensign s^d Comp^y. Jacob Ja. Clark Ensign in the Room of Ab^r Lansing in Finks Comp^y

Moore Ensign instead of Hogeboom.

James Burnet Ensign instead of R. J. Schyler.

Jeremiah C. Mutter in John H. Wendells Company.

Theodosius Fowler 1^st Lieut to Capt Walker.

John Broughdon 1^st Lieut 2^d Batt.

Silas Gray 2^d Lieut in 3 Batt.

John Coates Surgeon to the 5^th Batt.

William Mead Surgeon to the 2^d Batt.

Rev^d Gano Chaplain to 5^th Batt.

Rev^d Tetard Do 4^th Batt.

Rev^d Mason Do 3^d Batt.

Rev^d Evans Do 2 Batt.

R^d Freylock Do 1 Batt.

Ab. Ten Eyck, Paymaster, 1^st Batt.

Robert Provost 2 Batt.

Jeremiah Van Rensselaer, 3^d Batt.

John Lawrence, 4 Batt.

[Miscel. Pap. 38: 301.]

IN COMMITTEE OF ARRANGEMENT FOR THE STATE OF NEW YORK.

*Resolved* that John Francis Vache be and he is hereby appointed Surgeon to the Fourth Battalion of New York Forces. ROBERT YATES, *Chairman.*

FISH KILL, Feb^y 7, 1777.

[Mil. Commit. 25: 774.]

IN COMMITTEE OF ARRANGEMENT, March 17^th 1777.

*Present:* Robert Yates, Chairman, Jacob Cuyler,
Charles Dewit, John Jay.
James Duane,

A Recommendation of Coll^s Livingston, Gansevoort, L. Coll. Van Dyck & Major Yates, in behalf of Cap^t Hamstraick, a Resolve, of the Committee of Albany, recommending the same person. His letter to the Chairman of the Committee, were read.

Capt Hamstraick.

20^th ffeb^y 1777. A Letter from General Washington, read.—Lieut Coll. Renier.

Lieut Coll Renier.

[C] 7^th March 1777. Letter from Coll H. B. Livingston, urging his Rank in favour of other Coll. covering sundry Resolves of Congress, establishing the Rank of Officers.

9^th March 1777. Letter from Coll V. Courtlandt, & Copy of Resolves of Congress.

[E] 21^st ffeb^y 1777. Letter of Cap^t Sandford, recommending himself.

[F] 27^th ffeb^y 1777. Letter from Lieut Leonard Bleecker.

[G] 25^th ffeb^y 1777. Letter from Coll Courtlandt recommending Lieut Pendleton.

[H] 11^th ffeb^y 1777. Letter from Gen^l Scott, rec^d's Lieut Drake.

4^th March 1777. Letter from M^r Harper to the same purpose.



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March 6th 1777. Letter from d° recomm'g Rosa for a Lieutenancy.

28th ffebr 1777. Letter from Coll Willett acquainting the Committee of the Resignation of Major Goforth, & also recommending Ensign Hutton to be placed high on the arrangement.

11 March 1777. Letter from Jn° Sloss Hulbert, recommending Major Nicholas Fish for a Majority.

March 1st 1777. Letter from John Lasher. Benj & John Gilbert Recommended for Ensigns.

20th ffebr 1777. Letter from John Taylor respecting Capt Copp.

*Resolved* that Capt. Copp be again removed to Coll Van Schaicks Regiment and that Capt. Ten Eyck be removed from the 1st to the 2d Battalion.

Coll John Lasher appointed a Lieut Coll to the 4th Batt, and ordered that the Chairman immediately acquaint him with the appointment.

Sir: The Committee of Arrangmt have appointed you a Lieut Coll, in the 4th Batt of the Continental forces raised in this State, and they would be very glad to speak to you upon the subject.

*Resolved* that John Hamstramck be, & he is hereby appointed the 5th Capt in Coll Dubois's Regiment.

In Committee of Arrangement, Kingston, March 26th 1777.

*Present:* Robert Yates, Chairman, Jacob Cuyler,
John Day, James Duane,
Wm Duer, Charles Dewitt.
Robert Harper,

March 20th 1777. Received a Letter from Coll Lasher, declining the offer of the Committee.

21st March 1777. D° from Coll V. Courtlandt in answer to the proposal in favor of Major Fish.

Petition of Lieut. Peter Elsworth praying an appointment of a first Lieutenancy.

Letter from Coll Wiesenfels recommending Mr Graham to an Ensigncy.

Letter from Coll Livingston in behalf of Coll. Rinier.

25th March. Letter from Lieut. Troup, resigning his Lieutenancy.

The Committee farther proceeded to the appointment of a major to the Second Battalion and the Committee unanimously agreed in appointing Nicholas Fish. And to the fourth Battalion Mr Rinier Lieut. Coll in the 4th Battalion.

[Mil. Commit. 25: 533.]

Yonkers, 21st October, 1776.

My dear Sir: The continual movements of our Army have prevented my answering your favor of the 4th Current. The Warrants for filling up the four Regiments were delivered out in so irregular a manner and no final arrangement made of them, that it is impossible for me to give you a Rank Roll of our present Regiments. Secretary McKesson is the only one I know can furnish you with what you want.

All the discerning Officers of the Army See the necessity of having good Officers in it: without that you never can have a regular or Brave Army. The Contrast between those Troops who are well, and those who are ill Officered now in the Service, is so great, that it's impossible to have an adequate Idea of it, but by experience. It has made such an impression on the Minds of every Man of Sense (Civil as well as Military) from the neighbouring States who have viewed the Army, that they are determined to make one Vigorous Effort to obtain good Officers for the New Army. I hope ours will not be wanting in a Measure so necessary for their Honour, and the Common Safety. Old men without experience are utterly unfit for the Army; they want ambition which is the life and Soul of a Soldier; nor are they fit for it if they have seen Service, unless they are men of Genius, capable of improving by Service, otherwise they are a burthen to it; they are useless old boys, who pride themselves on having been in service without profiting by it. If

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you would have Officers and Soldiers, the former must be men of condition in the Country, or Men who have a Sense of Honor and whose class in Life is respectable: These are necessary qualifications among others to make the Officer. Where these meet in men of Genius, those they Command will be Soldiers, but without it they will only be men. The Honor & Security of my Country have induced me to be thus free in giving you my sentiments on this important Subject. My old Regiment has no field Officer, which has been of great prejudice to it. Colonel Zedwidtz being Cashiered, and Major Tuthill dismissed the Service, at his own request. It is greatly reduced by the desertion of the men who had wives &c in New York, and those belonging to Captains Hyatt's & Steenrod's Companies recruited out of the County of Westchester; however there are some good officers, and men in it, worthy to be retained in the Service; even the Bones of a Regiment are of great Moment in the forming one. No time should be lost in appointing Field Officers for it. It gives me great concern that many valuable Officers of my Regiment of last year, will not enter the service unless they are placed in their relative Rank with Colonel Dubois. I have stolen this Moment, and know not how soon my Brigade may be called to Engage the Enemy. I must therefore refer you to the inclosures. I am with Sentiments of Respect,

Yours and the Committees Very Hum^l Servant,

ALEX^R M^cDOUGALL.

ROBERT YATES, Esqr.

The writer's Brigade was called to action on Mond'y the 28^th inst. near White plains, and behaved well, doing great honour to the Gen^l & themselves.

[Miscel. Pap. 35: 693.]

YONKERS, Oct 23^d 1776.

Encouragement given by the Hon^ble Continental Congress to such men as are able & willing to defend their Country in the capacity of Gentlemen Soldiers and who shall enlist to serve in the Continental Army.

(1^st) Twenty Dollars Bounty.

(2^dly) a suit of clothes yearly to consist for the present year, of 2 linen hunting Shirts, 2 pair of overalls, a leathern Cap, 2 shirts, 2 Pair of hose & 2 Pair of shoes amounting in the whole to the value of 20 Dollars. Or that sum to be paid to each Soldier who shall procure those articles for himself & produce a Certificate thereof from the Capt of the Company to which he belongs to the Paymaster of the regiment, and

(3^dly) a grant of 100 acres of Land free of all Charges in procuring the same at the end of the War, which Grants shall be made out to each non Commissioned Officer & Soldier as shall serve during the war; or to the representatives of such non-commissioned officers and soldiers as shall be slain by the enemy. It is also ordered by Congress that the 10 dollars which Soldiers have received already is to be considered as part of the above bounty of twenty dollars & such soldiers as may be wounded or maimed in the service of the Continent shall during their inability to procure a livelihood be entitled to the receipt of half pay.

CH. D WITT,
ROB^T HARPUR,
*Committee of the Convention of this State.*

Recruiting Officers are to be particularly careful to enlist no deserters nor any Englishmen, Scotchmen or Irishmen who have no connection in this Country. All who have families or friends of good fame in this Country are most Eligible & the Officers so recruiting shall be allowed the usual compensation for each man they shall enlist; also apprentices without leave of their Masters are not to be enlisted.

ROBT HARPUR,
CH D WITT.
*Committe as above.*

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[Mil. Commit. 25: 843.]

Recruiting Officers for the 3d Regiment of N: York Forces, to be employed in the Country & are hereby appointed as follows:
Lieut James Miller, Sergt Timothy Smith, Orange County.
Lieut Edward Loundsberry, Sergeant Levi De Witt, Ulster County.
Lieut Zephania Platt, Sergeant Thomas Bushfield, Dutchess County.

Recruiting officers for the 3d Regiment of N: York Forces to be Employed in the Regimt & camp, are also appointed, and are as follow:
Capt Benjamen Pelton.
Lieut Nathan Strong.
Lieut Peter Benedict.
Such Sergeants as may be necessary, and best qualified for the above purpose, the field officers are hereby directed to appoint.

CH: D WITT,
ROBT HARPUR,
*a Committee of the Convention of the State of New York.*

[Mil. Commit. 25: 494.]

CAMP AT WHITE PLAINS, 26th Octr 1776.

SIR: As many of our Officers are willing to enter into the Service of the States, we have taken the Liberty to recommend the undermentioned officers as proper persons to bear Commissions and hope they may be provided for.

We are Sir Your Most Humble Servants,

ANDREW STOCKHOLM, *Lieut. Coll*
JAMES ABEEL, *Major.*

Capt Theophilas Beekman, Capt Wright, Capt John Bancker, Capt Wm Leonard, Lieuts Thos Beekman, Thomas Warner, John Vredenbergh, whose Captn & Lieut are gone to the Regulars, and has done the duty of the whole Company since, & has acted as Captain. John Hardbergh, if he gets a Capts Commission. Joseph Frylock an Ensign, Lieut Hicks & Lieut North

Edward Duscomb Lieut, } now Prisoners.
Jeronimus Hogland Adjt }

Christopher Codwise whom we strongly recommend for a Capts Commission.

Major Abeel to Messrs. Harper, etc.

[Mil. Commit. 25: 274.]

CAMP AT WHITE PLAINS, 27th Octobr 1776.

GENLn I have taken the Liberty to recommend Mr Christr Codwise to you as a person properly qualified to bear the Commission of Captain in the Army of the States, he being a Resolute, Prudent Officer, and has shown his willingness before he was in the Service of the States to go as a volunteer on every expedition and has allways behaved himself well, and since his having been an Officer has allways discharged his duty, in the station he was, to the Satisfaction of his Superior Officers, I should by no means recommend him if I thought he did not deserve it, Therefore hope you will consider of the Matter, and if you find him deserving of a Commission, will honor him with it, in doing of which you will greatly oblige,

Gentn Your Most Hble Servt.
JAMES ABEEL.

To Messrs ROBERT HARPER, GRAHAM & DEWITT.

(No. 12.)

[Mil. Commit. 25: 200.]

HONBLE SIRS: The affairs of my paternal Estate remaining as yet unsetled, and many other reasons rendering my quitting the Army *for the present*, indispensibly necessary, I should be much oblidged to the Honorable the Congress if they

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would be pleased to appoint some other person to supply my place in the new arrangment of Officers for this Regiment.

I am Sirs Your Most Obedient Humble Servt

BENJAMIN CURTIS.

CAMP WHITE PLAINS, Novr 3d 1776. *Surgn of the 1st N. York Regt*

To the Honorable the Convention of the State of New York.

[Mil. Commit. 25: 440.]

CAMP WHITE PLAINS, Novr 5th 1776.
On a Drum head in the woods.

DEAR SIR: As I apprehend the Convention will soon be upon the bussiness for appointments for the New Army I cannot in Justice either to the Country or the following worthy men whose names I mention omitt recommending them in the strongest manner, Viz Capt. Edward Meeks, Lts Jas Blake, Prentice Bowen, Aspinwall, Cornwall, & John M. Foght, and Mr John Sanford my Adjutant.

I have had such repeated proofs of their Qualifications as Officers, that I with the utmost freedom I can Sollicett Company's for each of them. They are Brave, active, sober, and well desciplin'd—& I am sure Genl Scott will join very heartily in my Sollicitation for them—they are willing to serve in the Capacity of Captains.

Since writing the above I find the enemy have left their Camp—the fog is just clearing away, and I have sent out 50 men from my Regiment to take possession of the Court house & the Rangers to Reconoitre to the Eastwd and shall detain Mr Mitchell at my post, (which is a mile advanced from our Army & for 8 days within musket shot of the Enemy's advanced post) untill I can send more certain intelligence—our conjectures are various—a country man just in says "they are gone to York." If so we shall have a Chase. It is now past 3 o'Clock, the enemy are moved of to our right i. e. to the Height N. W. of the Court house.

I can make no farther discoverys in this Quarter, but that I am delivered from troublesome neighbours & have a prospect of sleep to-night. I therefore dispatch Mr Mitchell on to Genl Scott who perhaps will have som Intelligence.

I have only to add that I always am with Esteem,

Dr Sir your mo obt St

To JOHN McKESSON, Esq., Fishkills. W. MALCOM.

I wd write you oftner but really have not time—being on an out post wh my Regt & the Rangers & very Critically Situated.

[Mil. Commit. 25: 196.]

WHITE PLAINS, 7th Nov., 1776.

SIR: Since Mr Harper and you left me, I find that if Henry G. Livingston, late Brigade Major to Lord Sterling, should be appointed Lieut. Coll. of my old Regiment, those Officers who are worth retaining in the service will not continue. I therefore judged it my duty to give you this intelligence.

As I expect my Brigade will move in a few days, I cannot answer Mr Courtlandts letter on the subject of the Cloathing of the Troops till we take our next Post. The Enemy have moved to the Northward, and westard towards Dobbs Ferry yesterday. But we have not been able with certainty to gather their design.

They have destroyed all Furniture before them, and drove off the Cattle and sheep within their Reach. Time will only permit me to add, that I am with respect

Your Humble Servt

To Col. CHARLES DE WITT. ALEXR McDOUGALL.

[Mil. Commit. 25: 472.]

PEEKS KILL, Novr 14th 1776.

DR. SIR: Being informed that the Honble Convention of the State of New York have appointed a Committee to receive the Recomendations of such Officers (now in the Army) as the General Officers of their own State may think best Quallified to serve in the Army of the Free United States of America in their next Army.

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From our intimacy for Some Time and my constant Observation of the Conduct of the Officers of my Division, I flatter myself that you will not take it amiss if I should hint a wish that you would take notice of an officer who I think has Done great Honor to himself, to you Sir, and the State to which he belongs, and great Service to the Publick, I mean your Brigade Major Pawling. His modesty, Integrity, assiduity in Duty, and Spirit, so often Discovered in my own presence, Compels me (from a Real regard to a Good and faithful Officer, and the Publick cause which stands in need of Such Gentlemen) to wish his promotion, and it will give me singular Pleasure should it happen. You will Excuse this Sir when I assure you that nothing but a desire that merit may be Distinguished, and the Publick Cause Promoted that has led me to mention this to you.

I am Dr Sir with Esteam your most humble Servt

Genl Geo. Clinton. W. HEATH.

[Mil. Commit. 25: 508.]

Dr. Sir: Mr Jacob John Lansingh being anxious to enter into the Army of the United States if he could be provided for as an officer this desire has been signified to Genl Schuyler by Mr Phillip Van Rensselaer who informs me that the General beg'd him to request me to recommend him to your Committee, and as Mr Cuyler and yourself are as well acquainted with Mr Lansing as myself, I presume it is needless for me to mention his Qualifications.

Mr Henry Van Veghten has also mentioned to me that he would with alacrity enter the service if he could be suitably appointed.

Messrs Leonard Gansevoort Junr & John Tobs Ten Eyck have also requested me to transmit you their names, as Regimental Paymasters. The former has been recommended to Congress some time ago by Col. Van Schaick, to that post for his Regiment. I am most Respectfully, Dr Sir,

Your & the Committees most Obedt and very Huml Servant,

Albany, Novr 14th 1776. LEONARD GANSEVOORT.

To Robert Yates, Esq.

[Mil. Commit. 25: 528.]

Whereas Lieut. David Doty of Col. Burrall Regt has obtained Leave of Major General Gates to Join the State of New York, and is desirous of continuing in the service of the United States of America and has the Genl Liberty to Leave the Regt which he last served in would therefore recommend said Lieut. Doty to said State as a worthy officer and one that has performed his duty to universal satisfaction in the Offices of both an adjutant as well as that of a Lieut. and that so good an officer may be continued in the service is the Earnest wish and desire of

Your Humble Servants,

NATHAL BUELL, *Lieut. Coll.*
JOHN SEDGWICK, *Majr*

Mount Independence, Novmr ye 15th 1776.

(No. 2.)

[Mil. Commit. 25: 524.]

Hights at With plains Novr 17th 1776.

Honored Sir: I expect in a littel time to return to a privet Life. I should be wanting to my Countrey if I did not recomend objicks wordey of your notes, Viz Lieut John Johnson as Capebel of being Capt of Merins in one of your ships being an Excelent Officer, i will warent my reputation on his Conduct He will not stay in the Regt if he does not gets his Ranck, being now 1st 3d Lieut, & severel officers we Expect to be promoted before him, I was an Eye witness to his behavier in the late action & to James Barret our Sergt Major a Man wordey of a Comission I would freley give my Comission up to have all Comissioned Officers as good men as he is.

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It is the first time i have asked a favor of the Congress except when i offered to serve my Cuntrey Wich i once thought the greatest Honor in there Destress but now have no more then to wish you Harmoney & Sucses.

Beleve me to be Gentelmen Your Frend & Servt

To ABRAHAM P. LOTT, Esq. JOHN JOHNSON.

Coll Livingstons List of the Officers under his Command.

[Mil. Commit. 25: 847.]

A List of Coll Livingstons Detachment at Say Brook all but three Chusing to continue in the Continental Service during the present war with Great Brittain, on the following Conditions otherwise not:

Lt Coll Henry B. Livingston on Condition he is not superseeded in the Command of the Regt
Captt Daniel Griffing 1st Captt in the Regt resigns.+
Lt Seth Marvin of the Same Company accepts.
Lt Benjamin Norton Do accepts.
Ensign Jacob Conkling Do resigns.+
Captain John Davis accepts on Condition of Coll Livingstons acceptance.
Lt William Havens accepts.
Lt Edward Conkling accepts.
Ensign Silvanus Conkling accepts.
Captain Daniel Roe accepts.
1st Lt Jonathan Titus accepts.
2d Lt George Smith accepts.
Ensign Benjamin Titus Resigns.

[Associations, 30: 349.]

GENTLEMEN: I send you inclosed the Names of five Persons who I must beg leave to Recommend as qualified for the Offices set Oposite their Names.

Bartholomew V. Valkenberg, Paymaster To Capt. Sackett's Compy

Josiah Drake, Samuel Thorn, Caleb Brewster, Josiah Youngs, Ensigns. Gilbert J. Livingston, Ensign.

The Pay Master recommended is a Young Man of approved Honesty has acted as a Deputy Commissary under Walter Livingston I should be extremely obliged to you If I could have Notice as soon as possible if these officers are approved of or not.

I remain Gentlemen, Your Most Obdt Humble Servt

HENRY B. LIVINGSTON.

To the Gentlemen of the Committee of Arrangement.

[Mil. Commit. 25: 518.]

FORT DAYTON Nov 20th 1776.

I do Certify that Captt John Eisenlord in Colo: Van Dyk's Regt, has behaved himself in his station as a Gentleman becoming to his Rank and as a good Soldier very capable for the Service agreeable to his present appointment, During my Command at the Fort above mentd ROBERT COCHRAN, Major.

General McDougall's Recommendation of Lieutenant-Colonel Cortlandt.

[Mil. Commit. 25: 845.]

As Lieut. Col. Cortlandt is the oldest of that rank, I take it for Granted as he is a young Gentleman of Family & Spirit, he will be appointed to the Command of my old Regiment. General Washington wishes to see Mr Henry G. Livingston provided for; he acted as Brigade Major to Lord Stirling. I think him a lively spirited young man, who will not disgrace the State. I know none of his rank who will serve, that will make you a better Lieut. Colonel. Captain Johnston the oldest in the regiment is known to the Convention; he is past improvement for a Major.

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The officers of the Corps do not think him Qualified for the Majority. Captain Ledyard who is the second, is the man they have their eye on. I think him by far the best Qualified for it. I Question whether he will continue with a Company. Andrew Taylor is well Qualified for Adjutant.

The following are those who are proper to retain in the service:

Captains Johnston, David Lyons, John Wiley. Captains Hyatt, Steenrod, unfit. Capt Forbus wishes to Quit the Service.

Capable of taking Charge of Companies: Lieut. Benjamin Walker & Henry Tiebout.

For first Lieuts: Leonard Bleeker, Thos Lefoy, James H. Hughes; Jno. Johnston, sickly; William Tapp; Lieut. John Huston, an excellent officer.

Qualified for Secd Lieut.: Lieut. Theodocius Fowler, Ensign James Fairly, Ensign James Bonnel; Gilbert Livingston, Ensign; William Glenney, Sergeant, will make a good Ensign.

[Mil. Commit. 25: 188.]

GENTELLMEN OF THE COMMITTE OF ARANGEMENT: If there should be a vacanse for a Lutenant in Capt. McKeans Company I would recommend Joseph Harper who had sarved under said McKean this last Campane as a Volenter at his one expense on purpos to quallify him selfe for the sarvic, and is capable of enlisting a number of men & would be very agreeable to Capt. McKean & Lutt French. But if there cannot be a provision mead thare I would request sum other place.

From Gentellmen your humble servant,

WILLIAM HARPER.

Mr Moore son of the Mr John Moore recommended as an Ensign.

21 Nov., 1776 (per Indorsement).

[Mil. Commit. 25: 516.]

JOHNSTON HALL, Novemr 22d 1776.

SIR: Being informed that the Regiment in which I now serve, is shortly to be disbanded, & probably I may be out of office, unless the Interposition of my Friends may prevent it, & as I hear there are four Regiments to be raised for the State of New York. In consequence therefore of the good opinion you was pleased to entertain of me, while I had the honor of Boarding with you at Mr Scotts in New York, and of your willingness to promote my Interests, I now take the Liberty of requesting the Favor of you to use your influence with the Convention in my Behalf for an office in one of the above Regiments. Of my military Character, Colonel Wiessenfels & others with whom I had the Honor to Serve, can give you a particular account. In other Respects I flatter myself I am not altogether unknown to several of the members of the Convention.

I am Sir Your most Obedt Humble Servt

GILBERT LIVINGSTON, Esq. JNO. COPP.

(No. 4.)

[Mil. Commit. 25: 506.]

COGHNAWAGA, 22d November 1776.

R. YATES, Esq.

I have been considering about persons proper for officers, according to your desire, and am of Oppinion (without any private view or interest) that Capt McKeen, and Ebenezer French now his Lieut., Albert Van Dewarka, his 2d Lt and Garrit Pottman, and Major Robert Cochran, who is an active good soldier, those persons I know are good men and true to the cause and will make good officers, as any that I know of and if they had warrants would soon be able to raise a Quantity of men; Major Cochran would chuse to be in the Rangers, as he is well used to that Business, and understands the woods as well as any man.

I am Sir your most Humble Servt

JELLIS FONDA.

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[Mil. Commit. 25: 452.]

CAMP NEAR PEEKSKILL Nov^r 24^th 1776.

GENTLEMEN: When I consider the Misfortunes of the Rev^d M^r Tetard, I cannot refrain from recommending him to your Committee, as I flatter myself you will pay some attention to his case in Forming the Staff of the New York Brigade. Our provincial Congress were pleased to appoint him to the Offices of Chaplain and Interpreter with the Rank of Major in the Canada Service. He will produce to you Gen^l Arnolds Certificate as a Testimony of his good Conduct. The losses he has met with since his Return merit in my opinion no small attention. His House in the City which Rented for £70 per Annum with some valuable Furniture in it has been reduced to Ashes — His farm in the Country entirely destroyed by our own Troops, and thirteen Slaves most probably captivated by the enemy. He is therefore reduced to abject poverty. As to his political sentiments Collected not only from private Conversation but from his preaching he appears to be a regular Friend to the American Cause. I must therefore, in justice to him take the Liberty earnestly to recommend him for the Office of Chaplain in the New York Brigade.

I am Gentlemen Your Most Obd^t Servt

The Hon^ble Committee of Arrangments. JN^o MORIN SCOTT.

P. S. M^r Corne has met with the Accident of a Breach in his Mill Dam, the Repair of which will require his presence. He has therefore requested me to interpose my good Offices for Continuing his stay on parole a week longer than was originally intended.

Yours &^ca

J. M. S.

[Mil. Commit. 25: 444.]

PEEKSKILL 24^th Nov^r 1776.

GENTLEMEN: I am just informed that L^t Colonel Hulbert is gone to Long Island, and that it is very improbable that he will accept of his Commission. Should this be the case I must beg leave to recommend Major Fish as the most Eligible person I can think of as Major to my Regt: he is a young man of Spirit and Abilities. the Captains Sackett, Jackson & Smith, accept and are now Recruiting, as we are at a loss for a Chaplain It may not be improper to acquaint you that one M^r John Peter Tetar a Clergyman and Gentleman who formerly made one of General Montgomery's Family as Interpreter in Canada, has now lost his all, it being at this time in the hands of the Enemy at Kings Bridge is very desirous of being appointed Chaplain to one or other of the four Regiments now Raising to Serve during the War.

The goodness of his Dispossition and his attachment to Gen^l Montgomery induces me to Solicit his appointment. Insign Josuah Drake resigns.

I remain Gentlemen with Respect and Essteem

Your Most Obedient Humble Servant,

HENRY B. LIVINGSTON,

To the Committee of Arrangement. *Coll, 4^th N. Y. Reg C^t Forc*

[Mil. Commit. 25: 368.]

DANBURY, Nov^r 24^th 1776.

SIR: I have received your account of my appointment by the Committe of arrangement for the State of New York, who you inform me have been pleased to take notice of my former Rank and Services. I can by no means think of refusing to attend to the Voice of my Countrey at so Critical and important a Period as this. I shall therefore with Chearfullness receive the appointment with which I am honoured, nor shall my best endeavours be wanting to render to my countrey every service I am capable.

Some business I have undertaken for the Quater Master Generall of the Continential Armey has engaged my attendance at North Castle tomorrow, after which I shall immediately attend the Committe of Arrangment at the Fish-Kill, and am in the meantime with sincere respect, Sir your most obedient Humble Servant,

MARINUS WILLETT.

To ROBERT YATES, Esq., Chairman of the Committee of Arrangement, Fishkill.



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[Mil. Commit. 25: 448, 839, 859.]

CAMP NORTH CASTLE 26th Novr 1776.

GENTLEMEN: I am now with General McDougel and have seen some of the officers you have been pleased to appoint to the Regiment you Gentlemen have been pleased to Honour me with the Command of: of these Captain Wiley, Lieutenant J. Horton, Lieutenant Thomas Le Foy, Resigns; it is also very uncertain whether Major Ledyard will serve; James Bonnel who is appointed an Insign I am under the Necessity of Requesting you to Change as General McDougal accuses him of throing away his Arms in time of Action which at Least Augurs a want of Presence of mind that every officer ought to be posessed of. However this you are better Judges of than your Humble Servant

HENRY B. LIVINGSTON,
*Colr 4th N. Y. Reg Continental Forces.*

P. S. If no paymaster should be appointed to the Regt I beg leave to present for your approbation Mr John Lawrence* Formerly Paymaster to the 1st Regiment of N. Y. Troops.
To the Gentlemen of the Committee of Arangement.

John Laurance to be appointed paymaster to the 4th Regiment of New York Troops recommended by Colonel Livingston Commanding the said Regiment.

Colo Livingston's Recommendation to the Committee of Arrangement:

| | | | |
|---|---|---|---|
| Deronger, alias Reneau, | late Lt Colo to Colo McDougall recomd for Lt Colo | | |
| Robert Troup, | do 2d Lt in Lashers | do | Capt |
| Theodosius Fowler, | do 2d Lt in McDougalls | do | 1st Lieut. |
| Joseph Fortune, | do 1st Lt in Lashers | do | 1st Lieut. |
| Harback, | do do do | do | 1st Lieut. |
| Ralph Thurman, | do do do | do | 1 Lt |
| +Peter Elsworth, | do 2d Lt in Clintons | do | 2d Lt |
| Rudolphus Van Hovenberg, | | do | Ensign. |
| John Punderson, | | do | do |
| Isaac Rose, | | do | do |

Col. Livingston's Regt.

[Miscel. Pap. 39: 246.]

John Lawrence Esqr. as pay master—late pay master to late Coll. McDougals Regt.
Barrett, as Ensn—late Sergt Major to sd Regt
Hunlock Woodruff as Surgeon—late Surgeon to Ritzma.

Rev. John Mason to Robert Harpur.

[Mil. Commit. 25: 206.]

PEEKSKILL Novr 26th 1776.

DEAR SIR: I intended to have sent you a concise dissertation upon the subject of our late conversation at Fish Kills; but the constant Hurry and innumerable other inconveniences of a camp life put my mind not accustomed to these scenes into such an unsettled state, that I was seldom in a temper for attempting this necessary service. Being still in the same situation I can send you only a few lines argumentorum without illustration or arrangement. These are the sacred rights of conscience, and the policy of indulging even such of its scruples as appear whimsical. the solemnity of an oath, and the requisites necessary to make us feel its binding energy, the exceptionableness of the English Mode of making oath, as originating from superstition,

* Son-in-law of General MacDougall.

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as not containing an Explicit appeal to Heaven, and as being offensive to the greatest part of the Protestant Church. the visible tendency of the Scots' mode to to impress the conscience of the Swearer, and to draw from him a discovery of the truth, and the Sanction it receives from the concurring practice of God, Angels and the best of men in the ages of inspiration. I might add other considerations but if these were set in a full light the evidence against the English and in favour of the Scot's mode of making oath would in my opinion be demonstrative. I hope the Honb^le Convention in Settleing the Constitution of this State, will at least make the Scot's mode as legal as the English. At the same time I hope they will take proper steps for stemming the torrent of profanity and vice, that disgrace our Country and expose it to the vengeance of Heaven, especially profane cursing and swearing, and the open violation of the 4^th Commandment, and that they will declare clergymen of every denomination ineligible for a place of authority in the civil department.

Next week I return to my family, near Bound Creek impressed with the melancholly reflection that my congregation is dispersed that I have little prospect of being useful whilst every visible source of supporting a rising family is dried up. I do not however despond. My allsufficient God will provide, and will not I hope suffer me to be altogether useless. I am open to his direction, and wait for a call to serve him in the station of a Chaplain for the Army, or any other consistent with my office.

May God direct you and make you eminently useful in your present station.

I am Dear Sir Your Obed^t Serv^t

JOHN MASON.

P. S. Give me leave to beseech you to urge in Convention the absolute necessity of making every preparation for rendering our river unnavigable by ships of War through the Highlands. I believe you will scarce be able to read these hasty unconnected sentences.

Captain Sacket to Robert Yates.

[Mil. Ret. 25: 180.]

PEEKSKILL 27^th Nov^r 1776.

SIR: By desire of Coll Livingston I have to inform you that Lieut Ebenezer Mott who was appointed to our Regiment has declined Serving. Joshua Drake's Resignation who was appointed Ensign to my Company, Coll: Livingston informs me he had reported to you.

I desired the Coll: to recommend some other person to you to supply the place of M^r Drake but he told me any person that I should think capable would be agreeable to him, and did not doubt a Recommendation from me would be sufficient as it was by his desire.

I therefore take the Liberty to mention to you M^r Gilbert Strang as a very fit person for an Officer, his abilities render him capable of making a figure in Milatary Life and I doubt not his exerting himself for his Country's Good. I should take it a particular favour to have him appointed Ensign to my Company for which purpose he now waits upon you.

With due Respect I am Sir: Your Most Obed^t Serv^t

SAM^L SACKET.

*Cap^t 4^th Regiment.*

Robert Yates to General Schuyler.

[Mil. Commit. 25: 182, 214.]

FISH KILL, Nov. 28^th 1776.

SIR: The Committee of Arrangem^t have been informed by the members of Tryon County that Capt^n M^cKeen, and his Lieutenants Ebenezer French, Albert Vander Werke and Gerrit Pottman instead of having discharged his Company are still in service and at the same time recomended those officers as well qualified to continue in service. Without relying however too much on recomendations which probably may be partial or interested the Committee have directed me to apply to you for

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farther information: If they are officers with qualifications such as Congress requires by their late Resolves, the Committee will without hesitation place them upon the present Establish$^{mt}$ and the more so as the County of Tryon may probably conceive that it has been not sufficiently noticed.

The Committee as soon as they can compleat the arrangement, will furnish you with a copy. I have the honor to be with the greatest Esteem, Sir,

Your most ob$^{t}$ h$^{l}$ Serv$^{t}$

ROBERT YATES *Chairman.*

Certificate.

FISH KILL, Nov. 29$^{th}$ 1776.

Whereas we are informed that it has been Reported that Capt. M$^{c}$Kean & Lieut. French had last summer discharged their Company without any leave, order or authority. We do hereby certify that the above Report is false & groundless. That the said Company has been kept up in service. That we have lately seen the said officers and the Company and know of our own knowledge that the said Company was in service on the Twenty first Instant when we were on our way to Fish Kill. We do farther certify that the said Captain M$^{c}$Kean & Lieutenant French are good and worthy officers in our opinion. We farther certify that Captain Jacob Seber's Company is dispersed which may probably have given rise to the report that Captain M$^{c}$Kean had discharged his Company.

JOHN MOORE.
WILLIAM HARPER.

[Mil. Commit. 25: 841.]

To the Respectable the Committee of Arrangement.

GENT.: I have serv'd the whol of last Campaign in y$^{e}$ same Reg$^{t}$ (to witt 1$^{st}$ N. York) with Lieu$^{t}$ John Johnson & never heard anything to his disadvantage as an officer, on the contrary know him to be good and Brave — he was 1$^{st}$ Lieu$^{t}$ to Cap Wiley in s$^{d}$ Reg$^{t}$

I have the Honour to be Gent. Your most Obd$^{t}$ Servant

BENJ$^{N}$ LEDYARD, *Major.*

[Mil. Commit. 25: 184.]

FISH KILLS, Novb$^{r}$ 29$^{th}$ 1776.

SIR: I would presume to Recommend my Brother Peter Magee for an Officer in the new arrangement. He is now a 2$^{d}$ Lieutenant in the Army at Fort Constitution in the Company of one Mr. Bently, and in the Reg$^{t}$ whereof Henry V. Rensalaer Esq$^{r}$ is major.

I would chuse, sir, to refer to Major V. Rensalaer & Major Peter Schuyler.

Am Sir Your Most Humble Servant,

JA$^{S}$ MAGEE.

To ROBERT YATES, Esq., Chairman of the Committee of Arrangement.

John Hulbert to the Committee of Arrangement.

[American Archives, 5th series, 3: 1140.]

FISH KILL, December 9th, 1776.

GENTLEMEN: I have not the opportunity of returning you my thanks for the honor done me in my appointment by waiting upon your Committee, but take this method to acknowledge the favour; at the same time am under the necessity of informing you that it is not in my power to serve, consistent with other affairs that interfere, not from any dislike to the service.

Gentlemen, I would presume to recommend Benj'n Marvin as an officer of merit, if any vacancy for an officer of his rank should offer. He has served as a First Lieutenant in Captain Griffin's company, the last two campaigns one of which I was with him, and well acquainted with his conduct.

I am, gentlemen, your humble servant,

JOHN HULBERT

To the Committee of Arrangement.

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(No. 8.)

J. Cuyler to James Duane.

[American Archives, 5th series, 3: 1129.]

ALBANY, December 9, 1776.

DEAR SIR: Colonel Van Schaack has returned to the Committee of Arrangement Mr Van Valkenburgh amongst the number that declined to serve.—Mr Van Valkenburgh is now here, and has requested me to write you, and begs his name may not be taken off the arrangement, and in the company he was fixed to, and that he now has consent from his parents,—I think him a very fine young fellow, and should be sorry to lose him. He also assures me that Mr. Samuel Thorn will accept. He has received a letter from him. Mr Henry Devandorph, who was given up to us as indifferent, has, since we were at Saratoga, done some very extraordinary services. This I have from Col Van Schaack; and I believe he will make a good officer. He is full of spirit and pride I know, and from what I can learn, he is sorry for the offence he has given some time ago to one of his Field Officers.

I am, sir, your most obedient,

JA^S. CUYLER.

To the Honourable JAMES DUANE, Fishkill.

Brigadier General James Clinton to Colonel Lewis Dubois.

[Mil. Commit. 25: 176.]

NEW WINDSOR Decem^r 27^th 1776.

D^r SIR: Lieut Laurence of my Regiment being desirous to continue in the service if there was a vacancy for him and applies to me for a Recommendation, he is desirous to serve in your regiment if you can help him to a place if not I hope you will use your endeavour to have him appointed in some other, as I believe he will make a good officer as he is always willing to do his duty. But the Officers of my Regiment has never had it in their power to shew their courage.

I am Sir Your Hum^ble Serv^t

JAMES CLINTON, *B. Gen^l*

Lieutenant Colonel Willett to Committee of Arrangement.

[American Archives, 5th series, 3: 1575.]

FISHKILL, December 31, 1776.

GENTLEMEN: As the appointment of Ensigns in our Battalion is not completed, I beg leave to recommend Christopher Hutton, a young man late of the City of New York, who served during the last campaign in Colonel Malcolm's battalion, Sergeant in Captain Brasher's company with great credit, as I have been informed by sundry officers of said battalion. At a time when there are so large a number looking out for appointments, I should not mention any person, was I not very well acquainted with this young man, and did I not personally know him to be of great merit for a youth of his opportunities, and that he has such virtue as is too seldom to be found in our days. His military talents I have reason to believe from good accounts, are such as promises him to be an ornament to the army.

I am, gentlemen your very humble servant,

MARINUS WILLETT.

To the Committee of Arrangement.

Petition of Lieutenant-Colonel Visscher.

[Petitions, 33: 676.]

To the Honorable the Members appointed by the Convention a Committee for arrangement of officers of the State of New York.

The Memorial of Lieutenant Colonel John Fisher, Sheweth,

That your Memorialist was an officer in the American Forces the last war and the war preceding and at the close of the last war was Captain of a Company raised in the Province of New York. That immediately after the taking of Ticonderoga an

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application was made to your Memorialist by the Committee of the County of Albany in consequence of which your Memorialist did raise a Company of Seventy five Men and then proceeded to the Post then esteemed the most dangerous and absolutely requisite to be defended for the safety of the Province, where your Memorialist remained till the arrival of his Honor the late Brigadier General Montgomery.

That your Memorialist was present at the Reduction of S^t Johns and Montreal and Second in Command when General Carleton was repulsed in his attack on Longuille. That your Memorialist was particularly noticed by his Honor Brigadier General Montgomery, and by his Express orders was selected and did accompany him in the unfortunate attempt upon the Town of Quebec. That your Memorialist has received two appointments from the Honorable the Continental Congress, the first dated the 11^th of July 1775, Commissioning him a Captain in the Second Regiment of New York Forces and the Second dated the 21^st June 1776 appointing him Lieutenant Colonel of the Regiment under Command of Col^l John Nicholson Esq^r

That your Memorialist doubts not that his character as a Soldier is well known to the Members of this Honorable Board and requests that you Gentlemen will be pleased to take this state into your serious and attentive consideration.

JOHN VISSCHER, *Lieu^t Col.*

FISHKILLS Jany 1776 [1777]

[Miscel. Pap. 38: 415.]

ALBANY, 7^th January, 1777.

GENT.: The Bearer Major Henry K. Van Rensselaer having served last Summer in our Army, is desirous to continue in the Service, if he can be provided for upon the new Establishment as a Major. We recommend him as a Sober Gentleman, very active and brave, descended of a very good Family, who are all warmly attached to the Cause of America, and flatter ourselves if he could be appointed might do Honour to himself and the State. We are with the greatest Respect,

Your very humble Servt^s

LEONARD GANSEVOORT,
AB^M TEN BROECK,
JOHN TEN BROECK,
AB^M YATES, Jun.

To the Committee of Arrangement for the State of New York.

Recommendation of M^r Hinchman for an Ensigncy.

[Miscel. Pap. 38: 419]

M^r James Hinchman formerly a Sergant in my Com^y having Behaved himself in that Capasity So well that I think him deserving of preferment if their Should Be a wacancy. I therefore Can Justly Recommend him as a proper person for an Insine in the Standing Army.

JACOB WRIGHT,
*Late Cap^t Colo. Lashers Regt.*

FISHKILL, Jan^y 7, 1777.

Captain Binkley to Mr. Harper.

[Miscel. Pap. 38: 421.]

FISH KILLS, January 7^th 1777.

M^r HARPER: Upon the Discourse I had with you this day Which undoubtedly is in your memory Concerning of Cap^t Biveer Declining to Except of his appointment I hope Gentlemen if you think it my right to Succeed his place you will due me Justice in regard to that. The number of men that I have inlisted is 32. The Leut. that was arang'd under me has by the Consent of the Officers of each Comp^y and Coll. Dubois Chang'd Companies with Daniel Birdsall, Leut., who was Arang'd under Cap^t Lee I hope may not be forgot. I have understood Since that Cap^t Biveer is a recruting the Intilligence I Rec^d by Cap^t Dewitt. I beg that further con-

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firmation may be had upon the Matter before anything more is done upon the matter I should of have Seen you upon the account but having an oppertunity of Crossing the River, I think it a Better Chance to Recruit, from your Humble Servt

THOMAS BINKLEY.

Colonel Van Schaick to Robert Yates.

[Miscel. Pap. 38: 443.]

ALBANY January 8th 1777.

GENTLEMEN: In my last to the Committee I sent a list of Officers in the first Battallion who had declined the service. I also Recommend Lieut Nathaniel Henry and have by the Generals approbation appointed him Lieut advanc'd him money, he has already inlisted near his Compliment of men and is with them gone on Service to Fort George, so that the Committee I hope will not fail of appointing him.

I have also Recommended Guy young & Henry Defendorf for Lieuts; for Ensigns, Jonathan Brown, Thomas Hicks, Jacob Ja. Klock, James Bennett, ——— Pecke Recommended by Col. Van Dyck: Ensigns Brown & Hicks have been on the Recruiting Service these four Weeks I wish to receive the approbation of the Committee Soon. A Surgeon ought to be appointed without the least loss of time & sent to me that I may forward him to Fort George, where part of the Regiment is Stationed. I am with perfect Esteem,

Your & the Committee's Most Hble Servt

GOOSE VAN SCHAICK.

[Miscel. Pap. 38: 509.]

LOWER BARRACKS 14th Janr 1776.

SIR: You would much oblige me if you would let Captain Smith of my Regt know who his Officers are if they are appointed and where they are to be found. The Committee of Arrangements in their Nomination of Officers I believe have overlooked a very Good Officer who I Should be very Glad was appointed to the Vacant Field Officers Commission in the fourth Regt if Majr Derusua Cant be appointed, his Name is Smith and has acted in Capacity of Engineer at New York, a man of Approved Spirit and who might be of Great use to us if Dettatched. He was Lt Col of Artilery but resigned on a Frenche Gentlemans being promoted over his Head His Christian Name I cant Recollect just now but doubt not but many Gentlemen of your Committee know him. he is vastly superior in my Opinion to either of the Officers you Mentioned to me last Night in Point of Military Capacity. Francis Harmone is Recommended for a Qr Master by Genl James Clinton.

These are the Last persons I will venture to mention to you lest my recommendations should be taken as a desire to promote those who are my favourites in the Regt with me. Tho far from being the Case, nothing but a Desire of forwarding the Service by Getting Men of Capacity in it Could have induced me to go the Length I have. I am Sir Your Most Obt Humble Servt

HENRY B. LIVINGSTON.

ROBERT YATES Esqr FISHKILLS.

Advertisment for Gun Flints.

[Miscel. Pap. 38: 545.]

Wanted for the benefit of the Public Proper Person to Manufacture Gun Flints, also a Person to Refine Sulphur out of the Oar.

Any person Acquainted in either of these will meet with good incouragement in such Business by applying at Fish Kill to the Committee of the Convention of the State of New York, for making Essays on Sulphur, Lead and Gun Flints.

By Order of the Committee

MATT. ADGATE, *Chairman.*

the Several Printers in the Neighbouring States are Disired to insert this Advertisement in their Newspapers.

FISHKILL 22nd January 1777.

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Petition of Arondt Van Hook.

[Petitions, 33: 660.]

To the Honorable the Committee of Arrangement for the State of New York.

The Memorial of Arondt Van Hook Sheweth

That your Memorialist having served in the New York forces under the late arrangement as Lieut & Adjudant with fidelity & honour (as can be made fully to appear) is greatly desirous of continuing in the Service but your Memorialist finding himself (as well as others) neglected in the new Establishment has reason to conclude it to have proceeded from inadvertency your Memorialist not having apply'd as others did for a future continuance readily concluding that the old officers who had acted well would be notic'd without an imediate application from them for that purpose. But your Memorialist finding it far otherwise has taken this method to apply to the Honorable Committee for the purpose of future Services. your Memorialist esteems it scarce necessary to mention his continued services & perseverance in his Country's cause from the first of the present contest. They are known. Your Memorialist however deems it but just to intimate to the Honorable Committee that by the evacuation of New York he has suffered greatly, all his tobacco instruments & snuff mills by which he carried on that Manufactory being entirely consumed in the City by which he is Deprived of a branch of Business whereby he earned a comfortable subsistence for his family, and as your Memorialist is well convinced that the Honorable Committee require only a knowledge of facts whereby to remove just complaints so he hopes to be found among the number of those who while in a Military capacity fully supported the character of an officer & a Gentlemen and that the Honorable Committee will do justice to your Memorialist & enable him to act with vigor against the common Enemy of our invaluable Rights & Liberties. ARONDT VAN HOOK.

January 22d 1777.

Your Memorialist was the first Second Lieut in the Regt to which afterwards was annexed the Adjudancy of said regiment which he held during the service.

Captain Hamtramck to the Committee of Arrangement.

[Miscel. Pap. 39: 389.]

GENTLEMEN: I wish I had sufficient Language to express my sentiments, for want of which, I hope you will Excuse. I hope it will be in my power to shew a lively Return of Gratitude for the employment you have bestowed upon me. I pray the Honorable Members of the Committee to recollect my Recommendations that I may be favor'd with a Rank agreeable to the Resolves of the Committee of Albany. The Letters of Col. Livingston &c. &c. &c. which will enable me to serve this State with Reputation. I am with greatest Respect,

Your most Obedient & humble Servant,

Wednesday, 11 Oclock, A.M. [Feb., 1777.] I. F. HAMTRAMCK.

(No. 1 !)

Caspar Stands to Matthew Adgate.

[Miscel. Pap. 38: 205.]

CHATHAM, Feby 13th 1777.

SIR: I have the Honor of your favr of the 10th Inst. and agreable to your request shall wait upon you at Fishkill or wherever the Convention may be and for that purpose shall begin my Journey within eight Days from this Time.

I am Sir, Your obedt huml Servt

CASPAR STANDS.

[Miscel. Pap. 38: 502.]

Feby 1 1777.

James Campbell an Ensign of the 4 Batt. is represented to the Committee as a Drunkard, Mean & dishonest By Major Ledger and therefore agreed upon to have his name struck off the arrangement.

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[Miscel. Pap. 36: 759.]

ALBANY, the 21 Feb., 1777.

D^r SIR: I called twice at your loadging while you was last at Albany in order to Settel that of Lowies DunBaar & also to beg the feavour of you to Recommand me when the first Vacency serves in any of the Reg^ts that is the Vacency of a Cap^t or if any other vacency should offer as Commissary in the N. York States; Maj^r Christopher P. Yates told me yesterday that a vacancy of a Cap^t was in Coll^o Van Cortlandt Regt. he farther said that he expected a vacancy would soon offer in Coll^o Van Schaick's Regt. I cant see how M^r Bartholomy Van Valkenburgh, Mr. Thorne & others are appointed Lt^s who never ware in the service & so many Lt^s and Ensigns left out also Capt^s left out & Lt^s appointed Cap^ts it is a mistre to me that I cant unfold as it is Recommanded by Congress that no favours are to be shown in those times. I am w^h oblig Duty Sir

Yr Very Hum^ble and obeiden Serv^t

To ROB^T YATES, Esq^r C^S VAN SANTVOORDT.

It is a glory to me to be in the Service for the defence of my country & its fredom, I prefer it above al callings—I must farther beg of you that you will see that I get my Commission. All last year while I was in the Service I never had a Commission nor no Office in our Regt as only those in Tryon County; It was too much talckt of by Officers of other States that we ware officers Appointed & never had a commission to show neither could we sit on a Court Martial or Ranck w^t & Officer.

I Beg to know wether I shall get in the Service again otherwise I have to lookt out for some other way to get my Bread.

Captain Van Santvoordt to John Ten Broeck and Leonard Gansevoort.

[Miscel. Pap. 38: 254.]

ALBANY 21 Feb. 1777.

GENT^MN As I have no friends nor money to Recommand me and I look upon you to be of my best friends I have to beg of you Gen^t to Recommand me to the Committee of Arangement so that I may come in the first Vacancy of a Cap^t in any of our State Reg^t or a Cap^t on board one of the Sloops stationed on the north River. Maj^r Christopher P. Yates tells me that a vacancy for a Cap^t is now in Coll. V^n Cortlandts Reg^t He farther says that he Expects a vacancy will Soon offer in Coll Van Schaick's Reg^t for a Cap^t If I could get in Coll^o Gansevoort's Reg^t I should like that best—

I Remain Gen^t Your Obliging Most Hum^ble Ser.

C^S V^N SANTVOORDT.

P. S. I must beg you Gen^tmen to get the Commissions for my Subalterns & myself of last years service, the dates are as follows.

29^th Feb^y 1776 C^s V^n Santvoordt first Cap^t in the Reg^t
2 March L^t Abraham Becker first Lieu^t to C^s V^n Svoordt Comp
2 Do Obadiah Vaughan Second L^t to C. V. SVoordts Comp^y
6 Do David Becker Ensign to C. V. SVoordts Comp^y

I beg Gen^t you will let me know if their is any lickleness of my getting in the Service again.

To TEN BROECK & GANSEVOORT Esq^rs

(No. 22.)

[Miscel. Pap. 38: 229.]

KINGSTON 27 Feby. 1777.

SIR: I understand by Co^l Dubois that there are two vacancies for Companies in his Reg^t and there are Several applications by Persons who are not at present in the Army—when I saw you last I understood when the Regts were once form'd that the Officers should rise regularly—if Commissions are given to all those who now Solicit, Officers who at first accepted, & have been in Service from the beginning,



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will be degraded, & those who now only seek will have Promotion. In the Rank Roll Mr Norton was placed before me but it is an entire mistake — He served a 2d Lieut. when I was a first. I desire nothing more than my just due.

I am Sir your verry humble Servt.

To R. Yates. LEONARD BLEECKER.

(No. 23.)

[Miscel. Pap. 38: 244.]

Fishkill, Feby 25, 1777.

Sir: I have just received a letter from Major Goforth who Informs me that he Declines Serving. as I am much in want of a Major hope his place may be filled with Some Active Person.

I have Recd an Answer from Mr Tennis Van Waganer who was to have been appointed an Ensign provided he would accept, he does, and is now Recruiting he wants to know his Offrs and what Date his Commission will bare. Lieut. French accepts and is recruiting. he begs his Rank may be maintained. he was a first Lieut. last year in Col Wynkoop's Regt.

I shall be Happy to be Informed which of the Capts Copp or McKeen is to serve in the 2nd Batn that I may give one of them orders to join the Regt.

If their Should be a Vacancy after the above amends I Shall be glad if the Committee will indulge me to name the person to fill it up. Please Sr to send me a Copy of the Arrangement as amended the one I have being Very Imperfect.

Recruiting goes on very Slow the New Englanders give Twenty Dollars more than we are Enabled to promise.

I hope some allowance will be made the Recruiting officers whose Expences are large in going about the Country besides if they had Something allowed them it would make them more Industrious.

Give me lieve Sr to Recommend to your Notice Lieut. Solomon Pendleton who Servd in Col Wynkoops Regt. last year as their is no Vacancy for a first Lieut in my Regt, he may perhaps be placed in some other.

I Remain Dr Sir with Profound Respect

Your obt and Very Humle Servt

PHILIP CORTLANDT.

To the Chairman of the Committee of Arrangement, at Kingston.

Genl Scott's recommendation of Officers.

[Mil. Com. 25: 831, 835, 836, 837.]

Lieut Col Hulbert of Col Sam Drakes regiment, a good Officer.

Capt Deane a good officer.

Ritzemas Regt

Ja Miller 2d Lieut 1st Compy
Jonathan Hallet 1st Lieut 2d Compy } Capts
Edwd Lounsbury 1 Lieut 3 do

Nathan Strong 1 Lieut a very good officer.

Elihu Marshal 2 do, 7 do, Adjut

Zeph Platt 2 do, a good officer.

Robt Wood 2 do

Peter Benedict 2 do

Isaac Sherwood 2 do

Ch Newkirk 2 do

Jeremiah Clark Ensign do.

Capt Wright late of Colonel Lasher's Regiment in my Brigade has distinguished himself as much by his cool intrepid Spirit, as by his zealous attachment to the American Cause and his modest discreet & prudent Behavior — I strongly recommend him as a Man who will do Honor to his Country in the Rank of Capt on the new Establishment.

JNo MORIN SCOTT.

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The following is a Catalogue of the Names of the Officers belonging to Col° Lasher's Reg$^{t}$:

*Field Officers.*

Col° John Lasher, a good officer and ought to be provided for as he has lost his all, his 4 houses being burnt.
L$^{t}$ Col° Andrew Stockholm.
Maj$^{r}$ James Abeel.

*Commissioned Officers.*

Cap$^{t}$ Ab$^{m}$ Van Dyke, Prisoner,
L$^{t}$ Harsin, } Greenadiers.
Do Brevoort, }

Cap$^{n}$ Banker, a good Officer,
Lieut. Beekman,
Do Hoogland, Prisoner.

Cap$^{n}$ Beekman,
L$^{t}$ Sickles, a very good officer,
Do Lawrence.

Cap$^{n}$ Dickson,
Lieut. Fortin,
Do Troup, Prisoner.

Cap$^{n}$ Dickenson,
Lieut. Warner,
Do Mesier.

Cap$^{n}$ W$^{m}$ Willcox, good officer,
Lieut. R. Thurman, good officer
Do Edw$^{d}$ Dunscomb, Prisoner.

Cap$^{n}$ Van Zandt,
Lieut. Johnson,
Do. Stymetz.

Cap$^{n}$ Wright, an exceeding good officer,
Lieut. North,
Do Hicks.

no Cap$^{n}$
Lieut. Vreedenberg.
Do Codwize, an active & assiduous officer.

List of Colonel Malcom's Officers.

*Field Officers.*

Col° W$^{m}$ Malcom, an exceeding good officer.
L$^{t}$ Col° Stoutenbergh, sickly.
Maj$^{r}$ James Alner, a good officer.

*Commissioned Officers.*

Cap$^{n}$ I. Wool,
Lieut. H. Rutgers,
Do.

No Cap$^{n}$,
Lieut. J. Fish,
Do J. Thompson.

Cap$^{n}$ Ed. Meeks,
Lieut. Elliott.

Cap$^{n}$ Jon. Blake,
Lieut. Jas. Cheeseman,
Do Ja$^{s}$ Black.

Cap$^{n}$ Brasher,
Lieut. Moffatt,
Do Coles.

Cap$^{n}$ J. Meeks,
Lieut. S. Flemming,
Do J. Sandford.

No Cap$^{n}$,
Lieut. Foght,
Do Bowen.

Cap$^{n}$ Smith,
Lieut. Nevens,
Do Myers.

Cap$^{n}$ Mitchel,
Lieut. Cornwall,
Do Lawrence.]

Cap$^{n}$ Stewart,
No Lieut$^{s}$

The above named Gentlemen are excellent Officers—& desirous to continue in the Service provided they have proper encouragement. W. MALCOM.
This regiment has no Ensigns.

[Mil. Commit. 25: 547.]

SIR: Capt. Ezekiel Cooper, who served last year in the Continental Troops, is now gone and has wrote to Gen$^{l}$ J. Clinton for a recommendation if you shall think proper to appoint him a Captain again and not Inconvenient, I sho'd be pleas$^{d}$ if you wo'd Nominate him Capt. of the Company which you Designed for Cap$^{t}$ Platt, in which I am Informed my son Gilbert is appointed 2$^{d}$ Lieu$^{t}$, my whole and only

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reason is, that I have been acquainted with Capt Cooper for some years, and believe him to be an honest, sober man, of good courage, and very good morals. I hope you Excuse this Trouble from Sir yr Hble Servt

JAMES LIVINGSTON.

Mr Chairman of the Committee of Arrangement.

[Miscel. Pap. 30: 536.]

To the Honoble Gentlemen of the Committee of Arrangement.

The Petition of Peter Elsworth second Lieutenant in Colonel Henry B. Livingston's Regiment, Humbly Sheweth,

That your Petitioner has served in the present War from the Year One Thousand seven Hundred and Seventy Five and still is desirous to continue.

That your Petitioner in the last Campaign has served as a second Lieutenant under Captain Jackson and was recommended by Brigr General James Clinton for a first Lieutenant under said Captain Jackson by and at his Request.

That your Petitioner has been informed that Lieutenant Bleeker who was appointed first Lieutenant in the aforesaid Company has resignd his Commission and that Place is now become Vacant.

Therefore Your Petitioner humbly prays your Honors would please to appoint him to the Rank of a first Lieutenant, in the Room of Lieut. Bleeker who has resigned, in Captain Jackson's Company.

And your Petitioner as in Duty bound shall ever faithfully serve.

PETER ELSWORTH.

[Miscel. Pap. 39: 371.]

Capt. Edward Meeks Company of Light Infantry in Colo Wm Malcolms Regiment, is in want of a Lieut. (a first he has) but a second he wants,—Mr. Wm Brower his first Serjeant he recommends as a very proper person, therefore begs the Honble The Provincial Congress will grant him the said Brower the place of Second Lieut as it will then compleat the Light Infantry Company.

[Miscel. Pap. 39: 13.]

This is to Certify that the Bearer hereof Harmon J. Knickerbacker has been a first Lieutenant in Capt. Heermanse Company in Collo Grahams Regiment in the last campaign and as I have seen him often on Duty Can Recommend him as a good and faithfull officer.

Kingston April 3 1777. LEVI PAWLING.

To the Committee of A Rangement.

Certificate for Surgeon Elliot.

[Miscel. Pap. 37: 325.]

Fort Constitution, April 20th 1777.

This is to Certify that Mr John Elliott is quallifyed to act in the Capacity of a Surgeons Mate & as such I recommend him to be appointed to the third New York Regiment. HUNLOKE WOODRUFF, *Surgeon.*

Gentn: I should be much obliged to you if you would appoint Mr John Elliot Surgeons Mate to the Third Regiment as the surgeon has recommended him.

MARINUS WILLETT, *Lt. Col.* 3 *N. Y. regt.*

To the Committee of Arrangements.

Officers in Tryon County.

[Mil. Commit. 25: 673.]

| | | | |
|---|---|---|---|
| Robert McKean, | Capt., | Jacob W. Seeber, | Captn |
| Abner French, | 1st Lieut., | Jost House, | 1st Lieut., |
| Abert Van derwarker, | 2d Lieut., | John Seeber, | 2d Lieut., |
| Samuel Wilson, | Ensign. | John Dunn, | Ensign. |

All dated the first day of March 1776.

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The Commissions for Capt$^{n}$ M$^{c}$Keans Company delivered to John Moore Esq$^{r}$ one of the Members for Tryon County.
Oct$^{r}$ 22$^{d}$ 1776.

A List of the Officers of the New York Regiments who served in Canada and the Rank they held, who are unprovided for:

[Mil. Commit. 25: 748.]

Samuel Sacket, appointed 2$^{d}$ Cap$^{t}$ 4$^{th}$ Reg$^{t}$ by Gen$^{l}$ Montgomerie, Nov$^{r}$ 1775.
William Gilliland, 1$^{st}$ Lieut. in 2$^{d}$ Company, 1$^{st}$ Reg$^{t}$.
Aaron Aorson, 1$^{st}$ ditto in 5$^{th}$ ditto, ditto.
Jonathan Piersee, 1$^{st}$ ditto in 8$^{th}$ ditto, ditto.
John Houston, 2$^{d}$ ditto in 5$^{th}$ ditto, ditto.
Daniel Gano, 2$^{d}$ ditto in 6$^{th}$ ditto, ditto.
Garret Van Waggenen, 2$^{d}$ ditto in 8$^{th}$ ditto, ditto.
William Matthewman, 2$^{d}$ ditto in 10$^{th}$ ditto, 4$^{th}$ Reg$^{t}$ when he went out; appointed 1$^{st}$ Company Nov$^{r}$ 1775.
James Dow, app$^{d}$ 2$^{d}$ Lieut. 4$^{th}$ Reg$^{t}$ Sept$^{r}$ 1775.
Nicholas Van Rensselear went out 2$^{d}$ Lieut. of 2$^{d}$ Regiment; was appointed 1$^{st}$ Lieut. Nov$^{r}$ 1775.
Joseph Fitch, Lieut. 2$^{d}$ Reg$^{t}$ the old arrang$^{t}$ will show his Rank.

List of Officers of the late Colo. M$^{c}$Dougall's Regiment who served in Canada and are not provided for:

[Mil. Commit. 25: 186.]

Captain Marinus Willet, a good Officer.
Captain William Goforth, Esteemed as very good officer.
1$^{st}$ Lieut. Aaron Aorson of Cap$^{tn}$ Cheeseman's, Esteemed a very Good Officer.
1$^{st}$ Lieut. Jonathan Piercy, of Capt$^{n}$ Quackenboss's, do.
1$^{st}$ Lieut. Matthias Clarke, of Lyon's, do.
2$^{d}$ Lieut. Ranald S. M$^{c}$Dougall, of Goforths, Esteemed a Brave Officer.
2$^{d}$ Lieut. John Houston, of Cheeseman's, Esteemed a Brave, Vigilant, active Officer by G. Arnold.
2$^{d}$ Lieut. Daniel Gano, of Varick's, a good officer.
2$^{d}$ Lieut. Garret Van Waggenen, of Quackenboss's, Esteemed a good officer, made prisoner on Long Island.
2$^{d}$ Lieut. Nicholas Van Rensselaer, of Graham's, Van Schaick's, Esteemed as a Brave good Officer.

Monday Morning, Oct. 28$^{th}$ 1776.

For M$^{r}$ Duane: Captain Varick's compliments, agreeable to promise he sends M$^{r}$ Duane a list of such New York officers, as are not provided for, with the characters they sustained in the Regiments, as he has been repeatedly informed.

[Mil. Commit. 25: 488.]

1776 (per Indorsement).

A List of the Officers' names of New York Troops, viz. (Col. M$^{c}$Dougalls Regiment).
No Field Officers; Rev$^{d}$ Israel Evans, Chaplain; Andrew Taylor, Adjutant, a good officer; M$^{r}$ Curtis, surgeon.

(1.)

John Johnston, Captain, a careful officer but in the opinion of his brother officers unfit for a Field officer.
Leonard Bleeker, 1$^{st}$ Lieut., not as careful or attentive as might be wished.
Theodocius Fowler, 2$^{d}$ Lieut., a Tolerable officer.
Gilbert Livingston, Ensign, a Young Officer.

(2.)

Benjamin Ledyard, Captain, a good officer, fit for the Majority.
James H. Hughes, 1$^{st}$ Lieut., Capable of making a good officer, but young and inattentive

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William Dunn, 2d Lieut., a sober officer, but rather too old.
William Munday, Ensign, a good Ensign.

(3.)

David Lyon, Captain, a Tolerable Officer.
Benjamin Walker, 1st Lieut., a sensible, active officer, fit to take charge of a company.
Cornelius Becker, 2d Lieut., too heavy and inactive for an officer.
James Bonnell, Ensign, will make a Second Lieut.

(4.)

John Wiley, Captain, a good officer, if he will continue.
John Johnson, 1st Lieut., a Tolerable Officer, but sickly.
Henry Dow Trip, 2d Do., too heavy and illiterate for an officer.
Samuel Young, Ensign, of too rough a make for an Officer; better qualified for the Navy than ye Army.

(5.)

Ezekiel Hyatt, Captain, wants authority to make a good Officer; he has deceived the Convention, in Enlisting the men for 6 & 12 months instead of doing it for the war.
Caleb Hobby, 1st Lieut.; Joseph De Groot, 2d Do.; Isaac Pieneer, Ensign. These three wish to decline the service; they will be no loss to it.

(6.)

Cornelius Steenrod, Captain, has committed the like deception with Capt. Hyatt.
Isaac Titus, 1st Lieut.; Benjamin Jones, Ensign. These two are unfit for the service.

(7.)

William A. Forbus, Capt., wishes to decline the service.
Henry Tiebout, 1st Lieut., a good officer; fit to take charge of a Company.
James Fairly, Ensign, The oldest in the Regiment fit for 2d Lieut.

(8.)

Thomas Lefoy, 1st Lieut., intituled to be second; oldest now in the Regt, a good officer.
William Tapp, 2d Lieut., a good officer, fit for first Lieut.
Hugh McConnel, Ensign, too careless and trifling for the service.
Lieut. John Huston, a Lieut. of my Regiment last year, a Brave, Careful officer, well Qualified to take charge of a company.
William Glenny, a Sergt., will make an Ensign, a man of good Education.

A List of the Officers who served in Canada last Winter, in Coll Clintons Regt:
[Mil. Commit. 25: 770.]

Lieut. Coll. Jno Nicholson,+
Major Lewis Duboys,
Captns Jacobus S. Bruyn,
Robert Johnston,+
David Du Boys,
Elias Van Bunschoten,
Ezekial Cooper,+
Thomas De Witt.
1st Lieuts. Cornl Jansen,
Philip D. Bevier,
James Gregg,
1st Lieuts. Albert Pawling,
Wm Martin,+
2d Lieuts. Evans Wherry,
Thos Nicholson,+
Nathl Conklin,
Henry Van Denburgh,
Henry Dodge,
Saml Cooke, Surgeon,
John R. Stephenson, Surgeon's Mate,
William Belknap, Quartermaster.+

Those marked thus (+) are provided for by a new Regt raised in Canada.
Richard Platt 1st Lieut lately in McDougalls Regt recommended.
1777.

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Arrangement of Officers of Col. Nicholson's Regiment.

[Mil. Ret. 27: 59.]

HEAD QUARTERS BEFORE QUEBEC, 15th April, 1776.

As it has been necessary to make some alteration in the arrangement of the Captains & subaltern Officers in Colo. Nicholsons Regiment; the following is to take place:

Frederick Wiesenfels, Esqr, Lieut. Colo. (appointed in the 3d Regt Yorkers).
B John Nicholson, Esqr, Colonel.
B John Vischer, Esqr, Major.
B John Brogden, Adjutant.
Israel Evans, Chaplain.
Joseph Marvin, Surgeon's Mate.

1st *Company.*

B Gershom Mott, Captn
Benjamin Pelton, 1st Lieut. [appointed in 3 N. Yorkers] (good).
Isaac Nichols, 2d Lieut.
Charles F. Wiesenfels, Ensign.

2d *Company.*

B Elisha Benedict, Capt
Digby Odleam, 1st Lieut. (drunk.)
Nathaniel Henry, 2 Lieut.
Francis Shaw, Ensign.

3d *Company.*

John Graham, Capt. (good.)
John G. Lansing, 1st Lieut. (bad.)
Francis Brindley, 2d Lieut.
Esia Holmes, Ensn

4 *Company.*

Robert Johnston, Capt. (indiffr.)
William Martin, 1st Lieut.
Thomas Nicholson, 2d Lieut.
Peter Kertan, Ensn

5th *Company.*

Ezekiel Cooper, Capt
Timothy Hughes, 1st Lieut. (middle.)
William Belknap, 2d Lieut.
Thomas Lennington, Ensn (a prisoner taken in Canada).

6 *Company.*

Benjamin Evins, Capt.
Isaac Hubbel, 1st Lieut.
Thomas McClallen, 2d Lieut.
Samuel Prebble, Ensign.

7 *Company.*

Derrick Hansen, Capt. (good.)
William Tapp, 1st Lieut. (appointed in 1 Reg. Yorkers).
Isaac Guion, 2d Lieut.
William Blackney, Ensn

8 *Company.*

John Copp, Capt.
John Brogden, 1st Lieut.
William Colebraith, 2d Lieut.
Thomas Logan, Ensign.

Approved of by General Wooster Commander in Chief of the Continental Forces before Quebec as taken from Brigade Major Blaydens Orderly Book.

By my order,
FREDERICK V. WIESENFELS, *Lt Colo.*

The date of the Warrents belonging to the Officers of the 2d Battalion of New York Forces:

[Mil. Commit. 25: 674.]

2d *Company.*

James Rosekrans, Capt., Warrent dated Feby 19th 1776.
Thomas Lee, First Lieut., Warrt dated Feby 27th 1776.
Daniel Lawrence, 2d Lieut., do do do 27th 1776.
Joseph Balding, Ensign, Declind 15th July, 1776 } Wt datd 27th Feby 1776.
Henry Swartwout, appointed the same time }

4th *Company.*

William Jackson, Capt. Feby 24th
Israel Smith, Lieut. 24th
Peter Elsworth, do. 24th
Isaac A. Roosa, Ensign, 24th

5th *Company.*

John Belknap, Capt., Warrent dated Feby 26th 1776.
Zacheriah Hasbrook, 1st Lieut., do do do do.
Henry Pawling, 2d Lieut., do do do do.
David Hunter, Ensign, do do do do.

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6th *Company.*

Abm Swartwout, Capt. Warrent dated Feby 19th 1776.
Simeon Tryon, 1st Lieut. do do do do.
Eli Parsons, 2d Lieut. do do do do.
Isaac Finch, appointed Ensign in the room of George Brook Deceasd by the County Committee of Dutchess. Appt 15th May 1776.

Increase Child, Capt. April 12th
John Lloyd, Lieut. Feby 27th
Saml Dodge, do. 27th
John Penderson, Ensign 27th
Lieut. Isarel Smith is appointed pay master to the Regt
Ensign Finch will decline the service.

A List of Officers in the 2d New York Regiment raised in the Collony of New York for the defence thereof in the Continental Service: 1776.

[Mil. Commit. 25: 204.]

James Clinton, Coll. Promoted Augt 9th [1776] to B. Gen'
Henry B. Livingston, Lieut. Coll.
Peter Schuyler, Major.

1st
Captain, Daniel Griffing.
1st Lieut., Benjamin Marvin.
2d Lieut., Nathaniel Nortou.
Ensign, Jacob Conklin.

2d
Captain, James Rosekrans (good).
1st Lieut., Thomas Lee (do).
2d Lieut., Daniel Lawrence (Indt).
Ensign, Henry Swartwout (Do).

3d
Captain, John Davis.
1st Lieut., William Havens.
2d Lieut., Edward Conklin.
Ensign, Silvanus Conklin.

4th
Captain, William Jackson (good).
1st Lieut., Isarel Smith, appd Pay Master.
2d Lieut., Peter Elsworth (Indt).
Ensign, Isaac A. Rosa (Do).

5th
Captain, John Bellknap (middling).
1st Lieut., Zachiriah Hasbrouck.
2d Lieut., Henry Pawling (good).
Ensign, David Hunter (Indiferent).

6th
Captain, Abraham Swartwout (good).
1st Lieut., Simeon Tryon, Do.
2d Lieut., Eli Parsons.
Ensign, Gilbert Livingston, apd Sept. 1st (good).

7th
Captain, Increase Childs (middling).
1st Lieut. John Lloyd (good).
2d Lieut. Saml Dodge (Indt).
Ensign, John Punderson (Indft).

8th
Captain, Daniel Roe.
1st Lieut., Jonathen Titus.
2d Lieut., George Smith.
Ensign, Benjamin Titus.

Adjutant, Judah Harlow.
Quartermaster, Nehemiah Carpenter (good).

Doctr Petrus Tappen (good).
Mate, Van De Linden (Do).

Note.—The officers of the 3 & 8 Companies I am not much acquainted with them, but I beleive they are good officers. JAMES CLINTON, *B. Gen'*

I understand that Child's Compy part of Rosekrans and Swartouts Compys are Inlisted during the pleasure of the Congress. Jacksons and Bellknaps only for a year but they may all claim the same.

General George Clinton to Robert Yates.

[Mil. Commit. 25: 520.]

Peeks Kill 19th Novr 1776.

Dr Sir: I am favoured with yours of yesterday, In answer to which I can only say that the two lists of Officers, to wit, that of Colo Duboys's Regiment which I inclosed to Mr Duer, and the one which your Secty Copied yesterday, contain the

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Names of all the Officers under the Degree of Field Officers in my Brigade who I can at present recommend for the Standing Army, and I believe many of them were they appointed would not accept.

I have no Ensigns in my Brigade. I have some good Sergeants but how well qualified for a higher office I can't answer, nor do I know whether they would incline to Continue in the Service. I hope I have no officer now above a 2d Lieutenant who would accept of a 2d Lieutenancy in the Standing Forces. If I am so unhappy as to have recommended any such, Be assured I have been deceived in the Men. Do (if there are any such) be good enough to strike him out of my List. There is a certain young Mr Saml Hunt, son of Capt Hunt near New Rochelle, who I have had occasion to employ on Long Island this summer, he is very sensible, active, faithfull and well educated, I believe he would accept of a 2d Lieutenancy and I wish it offered him.

James Duboys, Son of Matthew Duboys of Newwindsor, was named as a 2d Lieutenant in Duboys's Regiment. He had a Brother a Captain in the Service last year who behaved well and is since Dead; I believe it would answer to appoint him The men who were with his Brother would incline to inlist with him Many other young Fellows in the Country may be found who will answer & incline to Serve, but I dont at present recollect their Names.

I am Your Most Obedient Servant,
GEO. CLINTON.

Since writing the above Colos Graham & Swarthoudt have furnished me with the following names of Persons for 2d Lieuts — to wit

Quarter Master George Morehouse.
2d Lieut Ebenezer Mott.
2d Lieut Benjamin Bogardus.
2d Lieut Lawrence.
2d Lieut Oostrander.
2d Lieut Van Bunschoten.
2d Lieut Horton.

I cant conclude without Mentioning It as my opinion as well as that of most of my principal Officers, that the acceptance of the Officers I have recommended, should they be appointed, as well as the raising of Men out of my Brigade will much depend on the Field Officers who may be appointed & from Colo Dubois's being annexed to my Brigade, and having served with many of them last year, I am convinced they have strong attachments towards him, & believe him to be a good Officer.

List of the Officers of four Battalions to be raised in the State of New York. Arranged by a Committee of Convention of the said State on the 21st day of Novr 1776.

[Mil. Commit. 25: 761.]

1st *Battalion.*

1st Goose Van Schaick, Esqr Coll.
3d Cornelius Van Dyck, Esqr L. C.
2d Christopher P. Yates, Major.
Peter T. Tears, Adjutant.
Henry Van Woert, Qur Master.

1st *Company.*

2 Joseph McCracken, 1st Capt.
4 Leonard Bleecker, 1st Lieut.
5 John Denny, 2d Lieut.
7 John Vernon, Ensign.

2d *Company.*

3 John Graham, 2d Capt.
9 Nicholas Van Rensselaer, 1st Lieut.
29 John Lansing, Junr 2d Lieut.
4 John T. Ten Eyck, Ensign.

3d *Company.*

6 Andrew Fink, 3d Capt.
19 Tobias Van Veghten, 1st Lieut.
32 Bartholemew Van Valkenbugh, 2d Lieut.
3 Abraham G. Lansing, Ensign.

4th *Company.*

12 Benjamin Hicks 4th Capt.
13 Charles Parsons 1st Lt
26 Samuel Thorn, 2d Lt
Wilhelmus Rickman, Ensign.



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*5th Company.*

14 David Van Ness, 5th Capt
11 John Hooghkerk, 1st Lieut,
11 Abraham Hardenbergh, 2d Lieut.
Jacob H. Wendell, Ensign.

*6th Company.*

17 Samuel Van Veghten, 6th Capt.
12 John C. Ten Broeck, 1st Lieut.
10 William Scudder, 2d Lieut.
6 Peter I. Hogeboom, Ensign.

*7th Company.*

18 John H. Wendell, 7th Capt.
14 Abdiel Sherwood, 1st Lieut.
9 John Oostrander, 2d Lieut.
5 Peter S. Scuyler, Ensign.

*8th Company.*

19 Gerrit Veeder, 8th Capt.
15 Barent Staats v. Salisbury, 1st Lieut.
12 Ephraim Snow, 2d Lieut.
Abraham Ten Eyek, Paymaster.

*2d Battalion.*

2d Philip Van Court Landt, Coll.
1st Frederiek Wiessenfels, L. Coll.
1st William Goforth, Major.
Elihu Marschall, Adjt
Levy Dewit, Q. Master.

*1st Company.*

Abraham Riker,*
2 Matthew Clark, 1st Lieut.
4 William Munday, 2d Lieut.
8 Peter Dolson, Ensign.

*2d Company.*

9 Benjamin Pelton, Capt.
8 James F. Hughes, 1st Lt
1 William Tapp, 2d Lt
13 Tjerck Beeckman, Ensign.

*3 Company.*

8 Charles Graham, 2d Captain.
20 James Miller, late 1st 2d Lt 3d Batt. 1st Lt
15 James Fairly, 2d Lieut.
9 Timothy Smith, Ensign.

*4th Company.*

21 Samuel T. Pell, Capt.
26 Isaac Sherwood, 1st Lieut.
14 John Johnson, 2d Lieut.
10 Andrew White, Ensign.

*5th Company.*

22 Richard Platt, Capt
31 Robert Wood, 1st Lieut.
13 Gilbert James Livingston, 2d Lieut.
15 William Glenny, Ensign.

*6th Company.*

23 Elijah Hunter, Capt.
6 Isaac Van Wert, 1st Lieut.
16 Charles F. Wiesenfels 2d Do.
11 Thomas Bushfield, Ensign.

*7th Company.*

25 Jonathan Hallet, Capt.
29 Peter Benedict, 1st Lieut.
17 Christopher Codwise, 2d Lieut.
14 Joseph Henning, Ensign.

*8th Company.*

27 Edward Lounsberry, Capt.
23 Charles Newkirk, 1st Lieut.
8 Jeremiah Clarke, 2d Do.
12 William Nottingham, Ensign.

*3d Battalion.*

3d Peter Gansevoort, Coll.
2d Marinus Willett, Lieut. Coll.
3d Robert Cockran, Major.
George Symes, Adjutant.
Thomas Williams, Qr. Master.

*1st Company.*

7 Elias Van Bunschooten, Capt.
1 Jonathan Pearcy 1st Lieut.
22 Thomas Oostrander 2d Do.

*2d Company.*

10 Thomas Dewitt, Capt.
28 Henry Pawling, removed to Duboys' Rt 1st Lt
21 Benjamin Bogardus, 2d do.

*3d Company.*

11 Cornelius T. Jansen, Capt.
25 Nanning Vander Heyden, 1st Lt.
31 James Dubois N. B. 2d Do.
2 Samuel English, removed to Duboys' Rt Ensign.

*4th Company.*

16 Abraham Swartwoudt, Capt.†
32 Philip Conine, 1st Lieut.
3 Gilbert R. G. Livingston, 2d Do.
Samuel Lewis, Ensign.

* Vice John Johnston erased.

† In place of John Wiley, stricken out.

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5th *Company.*
20 Aaron Austin, Capt.
21 John Ball, 1st Lieut.
25 Gerrit Staats 2d Do.

6th *Company.*
28 James Gregg, Capt.
27 Levi Stockwell, 1st Lieut.
18 James Blake, 2d Do.
George Dennison.

7th *Company.*
29 Henry Tiebout, Capt.
30 Isaac Bogert, 1st Lieut.
27 William Mead, 2d Do.
Christopher Hutton, Ensign.

8th *Company.*
32 John Houston, Capt.
24 John Welch, 1st Lieut.
19 Prentice Bowen, 2d Do.

4th *Battalion.*
4 Henry B. Livingston, Coll.
4 John Hulbert, Lieut. Coll.
4 Benjamin Ledyard, Major.
Peter Sackett, Adjutant.
—— Van Wyck, Qr Master.*
John Peter Tetard, Chaplain.

1st *Company.*
4 Samuel Sackett, Capt.
3 Nathaniel Norton, 1st Lieut.
2 George Smith, 2d Do.
19 Joshuah Drake,
Gilbert Strang,

2d *Company.*
5 John Davis, Capt.†
5 William Havens, 1st Lieut.
7 Silvanus Conklin, 2d Do.
26 Caleb Brewster.

3d *Company.*
Jacobus Roscrans, Capt.
16 Simeon Tryon, 1st Lieut.
23 Peter Van Bunschooten, 2d Do.
James Campbell, Ensign.

4th *Company.*
15 William Jackson, Capt.
10 Thomas Lee, 1st Lieut.
20 Ebenezer Mott, 2d Do.
1 Joseph Frylock, Ensign.

5th *Company.*
24 Nathan Strong, Capt.
22 Edward Conklin, 1st Lieut.
21 Joshuah Young.

6th *Company.*
26 Benjamin Walker, Capt.

7th *Company.*
30 Israel Smith, Capt.
17 Patten Jackson, 1st Lieut.
30 Thomas Hunt, 2d Do.

8th *Company.*
31 Jonathan Titus, Capt.
18 John Lloyd, 1st Lieut.
28 Abraham Hyatt, 2d Do.
16 [Melancton Lloyd] Woolsey, Ensign.

The Committee have also made out a Rank Roll, of all the Officers arranged according to their respective Ranks, they heretofore had in the Army, but have not added it to the present List as it may be subject to alterations upon the resignation or refusal of some of the Officers.

2d or Albany Regiment:

[Mil. Commit. 25: 772.]

Goose Van Schaick, Coll., vice Myndert Roseboom.
Peter Yates, Lieut. Coll., vice Goose Van Schaick.
Peter Gansevoort, Junr Major, vice Lukas Van Veghten.

1st
John Fisher, Captain.
Benjamin Evans, } Lieuts.
Joseph Fitch, }

2d
Cornelius Van Dyck, captain.
Cornelius Van Slyck, } Lieuts.
Guy Young, }

3d
Barent J. Ten Eyck, Captain, vice Peter Vrooman.
Dirck Hansen, } Lieuts.
John G. Lansing, }

4th
John Fry, Captain.
Anthony Van Veghten, } Lieuts.
Matthew Warmood, }

* Vice Levi Dewitt, erased.

† Instead of Samuel Sacket, erased.

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5th

George White, Captain, vice Stephen J. Schuyler.
Jervis Mudge, } Lieuts.
Eleazer Grant, }

6th

Hezekiah Baldwin, Captain.
Nathaniel Rowley, } Lieuts.
Roswell Beeby, }

7th

Joseph McCracken, captain.
Moses Martin, } Lieuts.
John Barns, }

8th

Elisha Benedict, Capt
William McCune, } Lieuts.
Alexander Brink, }

9th

John Graham, capt, vice Peter Yates.
Gideon King, } Lieuts.
Nicholas Van Rensselaer, }

10th

Joel Pratt, Capt.
Benjamin Chittenden, } Lieuts.
Izreal Spencer, }

Henry Van Woerdt, Quarter Master.
John Tillman, Adjutant.
Stephen McCrea, Surgeon.

A List of Officers who served the late Campaign in Canada, with their proper Rank according to the first arrangement, 1775:

[Mil. Commit. 25: 764.]

*Captains.*

Marinus Willett, Second in 1st Regt.
William Goforth, fourth in Do.
Lewis Dubois, fourth in 3d Regt.
Jacobus Bruyn, Seventh in Do.
David Palmer, Tenth in 4th Regt

*First Lieutenants.*

William Gilleylen, Second in 1st Regt.
David Dubois, Second in 3d Regt.
Samuel Sackett, Second in 4th Regt.
Elias Van Bunschoten, fourth in 3d Regt.
Aaron Aorson, fifth in 1st Regt.
Samuel Pell, fifth in 4th Regt.
Thomas Dewitt, Seventh in 3d R.
Jonathan Pairse, Eight in 1st R.
Cornelius I. Jansen, ninth in 3d R.
Matthias Clark, tenth in 1st Regt

*Second Lieutenants.*

Richard Platt, first in 1st Regt
James Gregg, Second in 3d Regt.
John Houstoun, fifth in 1st Regt
Isaac Van Wert, fifth in 4th Regt.
Daniel Gano, Sixth in 1st Regt.
Albert Pawling, Seventh in 3d Regt.
Garret H. Van Wagenen, Eight in 1st R.
Phillip D. Bevier, tenth in 3d Regt.
William Matthewman, tenth in 4th Regt.
James Dow, appointed at St Johns.

Isaiah Wool, Lieut. Fireworker in Capt. Lambs Company of Artillery.

Lewis Dubois Esqrs Arrangement:

[Commissions issued by Continental Congress, 26 June, 1776.]

*Field Officers.*

Lewis Dubois, Colo
Jacobus Bruyn, Lieut. Colo
William Goforth, Major.

*Captains.*

David Dubois, 1st
Elias Van Bunschoten, 2d
Thomas Dewitt, 3d
Isaiah Wool, 4th
Phillip D. Bevier, 5th
Richard Platt, 6th
Albert Pawling, 7th
Cornelius T. Jansen, 8th

*First Lieutenants.*

James Gregg, 1st
Aaron Aorson, 2d
Jonathan Pearse, 3d
Evans Wherry, 4th Sergeant in 3d Regiment.
Garret Van Wagenen, 5th
Henry Vandenburgh, 6th Corpl in 3d Regiment.
Nathaniel Conklin, 7th Sergt. in Do.
Henry Dodge, 8th Sergt in Do.

*Second Lieutenant.*

Daniel Gano 1st

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General Montgomery's Arrangement.

Lewis Dubois appointed Major Nov$^{r}$ 25$^{th}$ 1775.

Officers of 3$^{d}$ Reg$^{t}$ of New York Vols. that were promoted.

Jacobus Bruyn, appointed 1$^{st}$ Captain Nov$^{r}$ 25$^{th}$ 1775.
David Dubois, appointed Capt. do, do.
Elias Van Bunschoten, app$^{d}$ Cap$^{t}$ do, do.
Thomas Dewitt, app$^{d}$ Cap$^{t}$ do, do.

Samuel Sacket, Lieut. in 4$^{th}$ Reg$^{t}$ app$^{d}$ Cap$^{t}$ Nov$^{r}$ 25$^{th}$ 1775.
Isaiah Wool, of Cap$^{t}$ Lamb's Company of Artillery, appointed Cap$^{t}$ L$^{t}$ thereof Nov$^{r}$ 25$^{th}$ 1775.

List of Officers in Gen$^{l}$ Clinton's Brigade Recommended (by him) for the Standing Army.

[Mil. Commit. 25: 849.]

*Col$^{o}$ Pawling.*

+Major Logan an Excellent Disciplinarian.
Cap$^{t}$ Clarke,
+Lieu$^{t}$ Neely,
+Lieu$^{t}$ Monuel,
Cap$^{t}$ Graham,
+Lieu$^{t}$ Erwin,
Cap$^{t}$ Coutine,
+Lieu$^{t}$ Schoonmaker.

*Col$^{o}$ Thomas.*

Cap$^{t}$ Platt,
+Cap$^{t}$ Townsend,
+Cap$^{t}$ Hunter,
Cap$^{t}$ De Livan,
+Lieu$^{t}$ & Adj$^{t}$ Hatfield,
+Lieu$^{t}$ Williams,
Lieu$^{t}$ Woodward,
Lieut. Marling, illiteral,
Lieu$^{t}$ Sherwood,
+Lieu$^{t}$ Isaac V. Wert,
+Lieu$^{t}$ Gray.

*Col. Graham.*

Cap$^{t}$ Paine,
Cap$^{t}$ Stuart,
Cap$^{t}$ Hermanse,
+Lieu$^{t}$ Hopkins,
+Lieu$^{t}$ Betts,
+Lieu$^{t}$ Mead,
Cap$^{t}$ Platt.

*Col$^{o}$ Swarthoudt.*

+Lieut. Col$^{o}$ Thomson,
+Cap$^{t}$ Goodwin,
+Cap$^{t}$ Duryee,
Cap$^{t}$ Swarthoudt,
Cap$^{t}$ Pierce,
Cap$^{t}$ Schenk,
+Quarter Master V. Wyke,
+Lieu$^{t}$ Platt,
+Lieut. Hyatt,
Lieu$^{t}$ Mott.

*Co$^{l}$ Nichols.*

+Cap$^{t}$ Wood,
+Cap$^{t}$ Little,
+Cap$^{t}$ Smith.

General Schuyler's List of Officers who served in Canada last Campaign.

[Mil. Ret. 27: 166.]

A List of Officers of the four Regiments raised in New York in 1775, now in Canada as they Rank—Feby 28, 1776.

*Field Officers.*

Colo: James Clinton.
L$^{t}$ Cols. Peter Yates, at Albany.
L$^{t}$ Colo: John Nicolson.
Major Herman Zedwits.
Major Peter Gansevoort, Jun$^{r}$
Major Lewis Dubois.

*Captains.*

Frederick V. Weisenfels,
John Vischer,
Barent I. Ten Eyck,
William Goforth,
Gershom Mott,
Jacobus S. Bruyn,
Elisha Benedict,
John Graham,
Robert Johnston,
David Palmer.

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1st *Lieutenants.*

Benjamin Evans,
William Gilleylen,
Samuel Sackett,
Dirck Hansen,
Elias Van Bunschoten,
Aaron Austin,
Samuel T. Pell,
John Copp,
Benjamin Pelton,
Thomas Dewit,
Jonathan Pearcy,
William McCune,
Digby Odlum,
Cornelius J. Jansen,
Matthias Clarke,
Philip Dubois Bevier.

2d *Lieutenants.*

Richard Platt,
Joseph Fitch,
James Gregg,
John G. Lansing,
Ranald S. M'Dougall,
John Houston,
Isaac Van Wert,
Daniel Gano,
Roswell Beebe,
Timothy Hughes,
Albert Pawling,
Garret Van Waggenen,
Alexander Brink,
Nicholas Van Rensselaer,
William Martin,
William Matthewman,
Isaac Hubbel,
James Dow, [Montreal.
George Nicholson—now Town Major of

List of the Officers of the four New York battalions raised in 1775, who have accepted Commissions in Coll. Van Schaick's Regiment.

Capt. Daniel Mills,
Capt. Joseph McCracken,
1 Lieut. Andrew Fink,
1 Lieut. Charles Graham,
1 Lt. Moses Martin,
2d Lt. Guy Young,
2d Lt. John Barnes.

List of the Officers' names of the Third Regiment of New York Continental Forces commanded by Colonel Rudolphus Ritzema. [after Aug 1776.]

[Mil. Commit. 25: 476.]

No Chaplain.

*Field Officers.*

Rudolphus Ritzema, Col.
Frederick Wiesenfels, Lt Col.
Andrew Billings, Major.

*Staff Officers.*

Jonathan Hallett, Adjt.
Robert Provoost, Q. Master.
Hunlock Woodruff, Surgeon.
Daniel Minema, Mate.

1st *Company.*

Daniel Denton, Capt., a good Officer but inactive & had better quit the Service.

Nathan Strong, 1st Lieut., a very good Officer.

James Miller, 2d Lieut., an Excellent Officer and would make a very good Captain to which office we recommend him.

Cadmiel Moore, Ensign, Sickly.

2d *Company.*

Abraham Riker, Capt., a good Officer but inactive, of a sickly constitution & had better quit the Service.

Jonathan Hallett, 1st Lieut., A very excellent officer is adjutant to the Regmt and will make a very good Captain to which office we recommend him.

Daniel Pelton, 2d Lieut., an active officer but wants solidity absented himself without leave twice.

Jonathan Holmes, A very indifferent Officer.

3d *Company.*

Cornelius Hardenberg, Capt., Cashiered by a General Court Martial for defrauding his men.

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Edward Lounsbury, 1st Lieut., an excellent officer would make a very good Captain & we recommend him as such.
Charles Newkerk, 2d Lieut. A good officer.
Jeremiah Clarke, Ensign, A good officer.

4th *Company.*

Jonathan P. Horton, Capt., a very indifferent officer and had better be discontinued.
Joseph Youngs, 1st Lieut. A very Low lived Fellow.
Isaac Sherwood, 2d Lieut. A good Officer.
James Brundidge, Ensign, indifferent la la.

5th *Company.*

David Hobby, Capt. A bad officer and at present under an arrest & will, in all probability be cashiered.
James Miller, 1st Lieut. A bad Officer.
Peter Benedict, 2d Lieut., a very Good Officer.
Caleb Lawrence, Ens.—Indifferent.

6th *Company.*

Amos Hutchins, Capt., of a low Turn and had better be dismissed the Service.
Patten Jackson, 1st Lieut., may be continued.
Robert Wood, 2d Lieut., a good Officer.
John Johnson, Ensign, Do.

7th *Company.*

Benjamin Pelton, Capt. An excellent Officer.
Elihu Marshall, 2d Lieut., a good officer, will make a good Adjutant.
Thomas Cole, Ensign, very indifferent.
David Baldwin, 1st Lieut. A very indifferent officer, the oldest Lt in the Regiment, & acting Capt to Pearce's Company, who is dismissed the Service.

8th *Company.*

Nathan Pearce, Capt. Dismissed the Service by Genl Washington.
John Dusenbury, 1st Lieut. A bad Officer.
Zephaniah Platt, 2d Lt A good officer.
Josiah Thornton, Ensign. Dismissed the Service, a very bad officer.

Sr Well knowing the Importance of good officers in a Corps & Army & how much we stand in need of a change in this respect, as we have been called upon (at the least the Colonel has) by his Excellency the General to give the Characters of the Officers of our Regiment, that such as are fit may be continued in & those that are unfit may be dismissed the service, we have, notwithstanding the Delicacy of the subject, readily complied with it, & do hereby declare upon Honor, that the Characters we have wrote above opposite to the Officers names in our Regiment, is to the best of our Judgment true, & that we have done it Impartially without Favor, Fear, or Affection & that those Gentlemen whom we have recommended to Captancies are well qualified to Execute them—We further Declare that the under written Sergeants are qualified for Subaltern Commissions.

We are Sir Respectfully Your humble Servants,

RUD RITZEMA, *Col*
FRED WEISSENFELS, *Lieut Col.*
ANDREW BILLINGS, *Major.*

Sergeants Recommended to Subs Commissions.

Peter Sackett Sergt Major will make a very good Adjutant or a good Ensign.
Levy Dewitt. A good Q. Master. Q. M. Provost being appointed Pay Master to the Regiment and cant hold but one Commission.

| | | |
|---|---|---|
| Andrew White, | William Nothingham, | Tjerick Beeckman, |
| Thomas Bushfield, | Timothy Smith, N. B. | Joseph Hanning. |
| Peter Dolson, N. B. | | |

Ensign Wiesenfels of Colo Nicholson's Regiment. We shall be happy in having him removed to this Regiment. Lt Hougston & Lt Pearce of General McDougall's *First Regiment* will make very good Captains are excellent Officers and unprovided for.

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E.

Officers in the Four Continental Regiments of New York. [30 June 1775.]

[Mil. Commit. 25: 531.]

1st (or New York)

ap. Alexander McDougall, Coll. (4)
ap. Rudolphus Ritzema, Lieut Coll. (3)
Donald Campbell, Major.
John Brogden, Adjt

ap. Benjamin Ledger, Captain.
ap. James Jarvis, 1st Lieut.
ap. ——— Hughes, 2d Lieut.

ap. John Quackinbush, Capt.
ap. Jonathan Pearcy, 1st Lieut.
ap. John Campbell, 2d Lieut.

ap. Jacob Cheesman, Captain.
ap. Aaron Austin, 1st Lieut.
ap. John Houston, 2d Lieut.

ap. Fredrick Van Weisenfels, Captain.
ap. John Alexr McDougal, 1st Lieut.
ap. Stephen Steel, 2d Lieut.

ap. Gershom Mott, Captain.
ap. ——— Pelton, 1st Lieut.
ap. Timothy Hughes, 2d Lieut.

ap. John Johnson, Captain.
ap. William Brown, 1st Lieut.
ap. Abraham Brasher, Junr 2d Lieut.

ap. Marinus Willett, Captain.
ap. William Gilliland, 1st Lieut.
ap. Leonard Bleecker, 2d Lieut.

ap. Abraham A. Van Wyck, Captain.
ap. Willm Leary, 1st Lieut.
ap. John Beeckman, 2d Lieut.

ap. Richard Van Varick, Captain.
ap. David Van Horne, 1st Lieut.
ap. Daniel Gano, 2d Lieut.

ap. William Goforth, Captain.
ap. James W. Pane, 1st Lieut.
ap. Parker McDougal, 2d Lieut.

ap. John L. Linn, Surgeon.

2d (or Albany)

ap. Myndt Roseboom, Colo.
ap. Gosen Van Schaaick, Lieut Coll.
Lucas Van Veghten, Major.*
ap. John Wendell, Qr Master.
ap. Barent Ten Eyck, Adjutant.

ap. Peter Yates, Captain.
ap. Henry Van Veghten, 1st Lieut.
ap. Gideon King, 2d Lieut.

ap. Stephen J. Schuyler, Capt.
ap. Barent Roseboom, 1st Lieut.
ap. Dirck Hansen, 2d Lieut.

ap. Peter B. Norman, Capt.
ap. Myndert A. Wemple, 1st Lieut.
ap. Jelles A. Fonda, 2d Lieut.

ap. John Fisher, Capt.
ap. Benjamin Evans, 1st Lieut.
ap. Joseph Fitch, 2d Lieut.

ap. Cornelius Van Dyck, Captain.
ap. Cornelius Van Slyck, 1st Lieut.
ap. Guy Young, 2d Lieut.

ap. John Frey, Captain.
ap. Anthony Van Veghten, 1st Lieut.
ap. Matthew Warmood, 2d Lieut.

Joseph McCracken, Capt.†
Mores Martin, 1st Lieut.
John Barns, 2d Lieut.

ap. Joel Pratt, Captain.
ap. Benjamin Chattenden, 1st Lieut.
ap. Izrael Spencer, 2d Lieut.

* The eldest officers of Lucas Van Veghten & Peter Yates is to be Major & the other to be Captain.

† JOSEPH MCCRACKEN belonged to Charlotte County; was grand juror at the opening of the first court at Fort Edward, Oct. 19, 1773; commissioned Capt. in the 2d N. Y. Continentals commanded by Col. Goose Van Schaaick, 28 June, 1775; recommissioned 21 Nov., 1776, and lost an arm at the battle of Monmouth, June 28, 1778; was promoted to be Major of the 4th N. Y. Continentals May 29, 1779, and resigned his commission April 11, 1780. On 30 March, 1781, he was appointed a commissioner for detecting and defeating conspiracies within this State, and 24 July, 1782, Lieutenant Colonel of the regiment of Militia in Charlotte County, which county he represented in the Assembly in 1786, and the County of Washington in 1788 and 1789. Colonel McCracken died 5 May, 1825.

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ap. Hezekiah Baldwin, Captain.
ap. Nathaniel Rowley, 1st Lieut.
ap. Roswell Beeby, 2d Lieut.

ap. Elisha Benedict, Captain.
Samuel Fletcher, 1st Lieut.
Alexr Brink, 2d Lieut.

John Williams Surgeon.

If any Captain in Albany County should refuso the aervice, that vacancy to be filled up from Cumberland County who have given up their nomination in favor of Elisha Benedict.

3d (or Ulster)

James Clinton apd Coll.
Edward Flemming apd Lieut Coll.
Cornelius D. Wynkoop apd Major.
George Slosser apd Adjutant.
James Hamilton, Qr Master.

ap. Daniel Griffin, Captain.
ap. Benjamin Marvin, 1st Lieut.
Nathaniel Norton 2d Lieut.

ap. John Hulbert, Captain.
ap. John Davis, 1st Lieut.
ap. William Havens, 2d Lieut.

ap. John Nicholson, Captain.
ap. Isaac Belknapp, 1st Lieut.
ap. David Dubois 2d Lieut.

ap. Elias Hasbrouck, Captain.
ap. Cornelius T. Jansen, 1st Lieut.
ap. Albert Pawling, 2d Lieut.

ap. Jacobus S. Bruyn, Capt.
ap. Thomas De witt, 1st Lieut.
ap. James Gregg, 2d Lieut.

ap. John Grinnell, Capt.
ap. William Phillips, Junr 1st Lieut.
ap. Phillip Conklin, 2d Lieut.

ap. Andrew Billings, Capt.
ap. Ezekiel Cooper, 1st Lieut.
ap. John Langdon, 2d Lieut.

ap. Daniel Denton, Captain.
ap. Baltazer De Hart, 1st Lieut.
Jonas Bellows, 2d Lieut.

ap. Lewis Dubois, Captain.
ap. Elias Van Bunschoten, 1st Lieut.
ap. Cornelius Adrianse, 2d Lieut.

ap. Robert Johnson, Capt.
ap. Martin Goetchius, 1st Lieut.
ap. Philip Du Bois Bevier, 2d Lieut.

Samuel Cooke, Surgeon.

4th (or Dutchess).

ap. James Holmes, Coll.
ap. Philip Cortlandt, Lieut. Coll.
ap. Barnabas Tuthill, Major.
Benjamin Chapman, Qr Master.

ap. Henry B. Livingston, Captain.
ap. Jacob Thomas, 1st Lieut.
ap. Roswell Wilcoks, 2d Lieut.

ap. Daniel Mills, Capt.
ap. Elijah Hunter, 1st Lieut.
ap. John Bayley, 2d Lieut.

ap. Jonathan Platt, Capt.
ap. David Dan, 1st Lieut.
ap. Manning Bull, 2d Lieut.

ap. Ambrose Horton, Capt.
ap. David Palmer, 1st Lieut.
ap. Saml Tredwell Pell, 2d Lieut.

ap. Rufus Herrick, Captain.
ap. Charles Graham, 1st Lieut.
ap. Jesse Thompson, 2d Lieut.

ap. Nathl Woodard, Captain.
ap. Abraham Ricker, 1st Lieut.
ap. Morris Hazard, 2d Lieut.

ap. John R. Livingston, Capt.
ap. Leonard Ten Brook, 1st Lieut.
ap. Andries Hoermanse, 2d Lieut.

ap. Henry G. Livingston, Captain.
ap. Saml Van Veghten, 1st Lieut.
ap. William Mathewman, 2d Lieut.

ap. Jacobus Wynkoop, Captain.
ap. Anthony Welsh, 1st Lieut.
ap. Thomas Le Foy, 2d Lieut.

ap. Joseph Benedict, Junr Captain.
ap. William Wilcox, 2d Lieut.

ap. Ebenezer Haviland, Surgeon.
Isaac Smith, Do Mate.



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One Company of Artillery consisting of one hundred men. Including officers to be drafted out of the within List,—and that John Lamb be appointed an additional Officer to have the Command of that Company.

John Lamb, Captain.
Thomas Ivers, Capt. Lieut.
John Crane, 1st Lieut.
Martin Johnson, 2d Lieut.
Lt. Fireworker, Isaiah Wool.

State of the Rank of the Officers raised in the Colony of New York in the Year 1775.

[Mil. Commit. 25: 94.]

*Colonels.*

Goose Van Schaick.

*Lieutenant Colonels.*

Philip Van Cortlandt.

*Majors.*

Peter Gansevoort.

*Captains.*

1 Frederick V. Weisenfels,
4 Henry B. Livingston,
5 Marinus Willett,
6 Cornelius Van Dyck,
9 John Johnson,
11 John Hulbert,
13 William Goforth,
14 Christopher P. Yates,
15 Lewis Dubois,
19 John Grennel,
20 Ambrose Horton,
21 Richard Varrick,
26 Joseph McCraeken,
27 Jacobus Bruyn,
32 Jacobus Wynkoop,
33 Benjamin Ledger,
34 John Graham,
37 David Lyon.

*1st Lieutenants.*

3 Benjamin Marvin,
8 Samuel Sacket,
9 William Brown,
11 John Davis,
13 James W. Payne,
14 Andrew Fink,
15 Elias Van Buntschoten,
16 Charles Graham,
17 Aaron Austin,
20 Samuel T. Pell,
24 Elijah Hunter,
25 Benjamin Pelton,
26 Moses Martin,
27 Thomas Dewitt,
29 Jonathan Pearcy,
Cornelius T. Jansen,
Samuel Van Veghten,
Marinus Goetchius.

*2d Lieutenants.*

1 Richard Platt,
3 Nathaniel Norton,
5 Leonard Bleecker,
7 James Gregg,
9 Abraham E. Brasher,
11 William Havens,
17 John Houston,
21 Daniel Gano,
25 Timothy Hughes,
27 Albert Pawling,
32 Thomas Lefoy,
33 James M. Hughes,
34 Nicholas Van Rensselaer,
36 Thomas Lee,
39 Philip Dubois Bevier,
40 William Matthewman.

*Quarter Masters.*

William Top,
Henry Van Woert.

*Surgeons.*

John L. Lynn,
Stephen McCrea,
Ebenezer Haviland.
Samuel Cooke

*1st Surgeons Mates.*

Hunlock Woodruff,
Bedford Williams,
Edward Sands.
John Stephens,

*2d Surgeons Mate*

Joseph Marvin.

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Artillery Company.

John Lamb, Captain.
Thomas Ivers, Capt Lieu[t]
Joseph Crane, 1[st] Lieut.
Martin Johnson, 2[d] Do.
Isaiah Wool, Lieut Fireworker.

The following names of Officers are erased from the above List either on account of promotion, resignation or death:

*Colonels.*

Alexander M[c]Dougal, James Clinton, James Holmes.

*Lieut Colonels.*

Rudolphus Ritzema, Peter Yates, Cornelius D. Wynkoop.

*Majors.*

Herman Zedwitz, Henry Livingston, Barnabus Tuthill.

*Captains.*

2 John Fisher,
3 Daniel Griffin,
7 John Nicholson,
8 Joseph Benedict,
10 Barent J. Ten Eyck,
12 Nathaniel Woodward,
16 Rufus Herriet,
17 Jacob Cheesman,
18 George White,
22 Hezekiah Baldwin,
23 Andrew Billings,
24 Daniel Mills,
25 Gersham Mott,
28 Jonathan Platt,
29 John Quackenboss,
30 Elisha Benedict,
31 Daniel Denton,
35 Elias Hasbrouck,
36 Jacobus Rosecrans,
38 Joel Pratt,
39 Robert Johnston,
40 Daniel Palmer.

*1[st] Lieutenants.*

1 John A. M[c]Dougall,
2 Benjamin Evans,
4 Jacob Thomas,
5 William Gilleland,
6 Cornelius Van Slyck,
7 David Dubois,
10 Dirck Hansen,
12 Abraham Riker,
18 Jervis Mudge,
19 Samuel Smith,
21 John Copp,
22 Nathaniel Rowley,
23 Ezekiel Cooper,
28 David Dan,
30 William M[c]Cune,
31 Bathazer De Hart,
32 Anthony Welph,
Digby Odlum,
Gideon King,
Matthias Clarke,
Benjamin Chittenton,
Philip Dubois Bevier,
William Crane,

*2[d] Lieutenants.*

2 Joseph Fitch,
4 Isaac Paddock,
6 Guy Young,
8 Gould Bouton,
10 John G. Lansing,
12 John Lawrence.
13 Ranald S. M[c]Dougall, prisoner.
14 John Keyser, Jun[r]
15 Andrew T. Lawrence,
16 Jesse Thompson,
18 Eleazer Grant,
19 Alexander Ketchem,
20 Isaac Van Wert,
22 Roswell Beebee,
23 John Langdon,
24 Miles Oakley,
26 John Barns,
28 Manning Bull,
29 Garret Wagenen, p[r]
30 Alexander Brink,
31 George Hamilton Jackson,
35 Petrus Roggen,
37 John Beeckman,
38 Israel Spencer,
39 William Martin.

*Adjutants.*

John Brogden,
John Fillman,
Henry Van Woerdt,
George L. Schroeter
Job Mulford.

*Quarter Masters.*

James Hamilton, Benjamin Chapman,

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List of officers of Van Schaick, Nicholsons, and Wynkoops Regiments, transmitted by Maj. Gen. Schuyler, 7 October 1776.

[Miscel. Pap. 34: 236.]

*Van Schaick's.*

Goose Van Schaick, Colonel.
Peter Gansevoort, Junr Lt Colonel.
Eleazer Curtis, Major, belongs to Connecticut.
Peter B. Tears, Adjutant.
—— Budd, Surgeon.

| *Captains.* | *First Lieutenants.* | *Second Lieutenants.* |
|---|---|---|
| Joseph McCrackin, | Guy Young, | Job Cook, |
| James Van Rensselaer, resigned, | John Barnes, | Tobias Van Veghten, |
| Andrew Fink, | Henry Deffendorf, | James Clark, |
| Benjamin Hicks, | Charles Parsons, | William Moulton, |
| Job Wright, | Ebenezer Hill, | Nanning V. Der Heyden, |
| David Van Ness, | Holtham Dunham, | George Sythes, |
| Robert Edmenston, | Peter S. Vosburgh, | John J. Van Ness, |
| Moses Martin. | Michael Ryan. | Philip Conyne. |

*Ensigns.*

| | | |
|---|---|---|
| Luther Bissel, | John Denning, | Nicholas Kettle, |
| Thomas Hoit, | Jonathan Brown, | John Perkins Wendell. |
| John McClung, | George Palmer, | |

*Nicholson's.*

John Nicholson, Colonel,
John Vischer, Lieut Colonel,
John Brogdon, Adjutant,
Israel Evans, Chaplain,
Joseph Marvin, Surgeon.

| *Captains.* | *First Lieutenants.* | *Second Lieutenants.* |
|---|---|---|
| Gersham Mott, | Digby Odlum, | Isaac Nichols, |
| Elisha Benedict, | John G. Lansing, | Nathaniel Henry, |
| John Graham, | William Martin, | Francis Brendly, |
| Robert Johnston, | Timothy Hughes, | Thomas Nicholson, |
| Ezekiel Cooper, | Isaac Hubble, | William Belknap, |
| Benjamin Evans, | John Brogdon, | Thomas McClallen, |
| Dirck Hansen, | | Isaac Guinon, |
| John Copp. | | John Blackney. |

*Ensigns.*

| | | |
|---|---|---|
| Charles F. Van Wiesenfels, | Peter Hartan, | John Blackney, |
| Francis Shaw, | Thomas Lennington, | Thomas Logan. |
| Asa Holmes, | Samuel Prebble, | |

*Wynkoop's.*

Cornelius D. Wynkoop, Colonel,
Philip Cortlandt, Lieut Colonel,
Thomas Williams, Quarter Master.

| *Captains.* | *First Lieutenants.* | *Second Lieutenants.* |
|---|---|---|
| Cornelius Van Santvoort, | Barent S. Van Salisbury, | Isaac Bogert, |
| John H. Wendell, | John Ten Broeck, | John Welch, |
| Samuel Van Veghten, | Solomon Pendleton, | David Bates, |
| Herman Vosburgh, | Abner French, | Albert Van Der Werken, |
| Gerrit Veeder, | Abraham Becker, | Obadiah Vaughan, |
| Henry O'Hara, | Jacob House, | John Seeber, |
| Robert McKean, | John Hoghkerk, | John Ball, |
| Jacob Seeber. | Abdiel Sherwood. | Levy Stockwell. |

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*Ensigns.*

| | | |
|---|---|---|
| John Ostrander, | Samuel Wilson, | Daniel Everitt, |
| Abraham Hardenburgh, | David Becker, | William Scudder, |
| Ephraim Snow, | John Dunn, | |

The above is a List of the Officers in the three above mentioned Regiments. Those in Van Schaicks & Nicholson's are placed in the order in which they Rank in their respective Regiments. The order of Rank of those of Wynkoops, I am informed is not ascertained.

Arrangement of Officers of Colo. Van Schaicks Regiment. Indorsed 1776.

[Mil. Commit. 25: 468.]

Colonel, Goose Van Schaick.
Lieut. Colo., Peter Gansevoort, Junr
Major, Eliazer Curtis, Connecticut.

| | | | |
|---|---|---|---|
| not fit to be a major, v. g., | Joseph McKraken, | 1 | Captain. |
| bad, | John Barnes, | 2d | first Lieut. |
| Dead, | Luther Bissel, | 8th | Second Lieut. |
| bad, | John McClung, | 2d | Ensign. |
| | James Van Renssalaer, | 2d | Captain. |
| bad, | Ebenezer Hill, | 5th | First Lieut. |
| bad, | James Clark, | 2d | Second Lieut. |
| g., | Andrew Finck, | 3d | Captain. |
| midling, | Henry Diffendorff, | 3d | First Lieut. |
| v. g., | Tobias Van Veghten, | 1st | Second Lieut. |
| v. g., | John Denny, | 3d | Ensign. |
| v. g., | Benjamin Hicks, | 4th | Captain. |
| b., | Guy Young, | 1st | First Lieut. |
| Indifferent, | Nanning V. D. Heyden, | 4th | Second Lieut. |
| Indifferent, | Jonathan Brown, | 4th | Ensign. |
| b., | Job Wright, | 5th | Captain. |
| Indifferent, | Holtham Dunham, | 6th | First Lieut. |
| Good adjutant, very good, | George Sythes, | 5th | Second Lieut. |
| Indifft | —— Palmer, | 5th | Ensign. |
| good, | David Van Ness, | 6th | Captain. |
| Indifft | Peter T. Vosburgh, | 7th | First Lieut. |
| Indifft | John T. Van Ess, | 6th | Second Lieut. |
| Scoundrel, | Nicholas Kettle, | 6th | Ensign. |
| bad, | Robert Edmunston, | 7th | Captain. |
| Indifft | Michl Ryan, | 8th | 1st Lieut. |
| Good, | Phi: Conyn, | 7th | Second Lieut. |
| midling, | Moses Martin, | 8th | Captain. |
| good, | Charles Parsons, | 4th | First Lieut. |
| bad, | William Moulton, | 3d | Second Lieut. |
| bad, | Thomas Hoit, | 1st | Ensign. |
| good, | Q. Master Henry Van Woort. | | |
| good adjt., | Adjutant Peter B. Tears. | | |
| bad, | Surgeon —— Budd. | | |

Resignations (6 Dec., 1776) of Officers lately appointed on the new Arrangement.

[Mil. Commit. 25: 851, 854; 35: 321.]

John Hulburt, Lieut.-Coll. 4th Battalion.

*Captains.*

| | | | | | |
|---|---|---|---|---|---|
| John Johnston, | Capt. in the | 2d | Battalion, | Samuel Van Veghte, | 1st Battalion, |
| Richard Platt, | do | 2d | do | *Lieutenants.* | |
| Elijah Hunter, | do | 2d | do | James M. Hughes, 1 Lieut 2d Batt. | |
| Gerrit Veeder, | do | 1st | do | | |

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*2d Lieutenants.*

Ebenezer Mott, 2d Lieut 4th Batt.
John Lansing, do 1st Battalion,

*Ensigns.*

Joshua Drake, Ensign 4th Batt.
John Vernor, do 1st do
John J. Ten Eyck, do 1st do
Abraham G. Lansing, Ensign 1st Batt.
John Johnson.
Peter S. Schuyler, do 1st do
Joseph Hanning.
Peter Hogoboom, do 1st do

Benjamin Curtis, Surgeon.

Petitions of Sundry Persons for Commissions in N. York Regiments.

[Mil. Commit. 25: 648.]

| | | | |
|---|---|---|---|
| Abrm Van Wyck, | Captn | John Vregenburgh, | Lieut. |
| Robt. R. Randell, | Captn | Daniel Pelton, | do |
| Philip Brooks, | Commission. | John W. Watson's, | do |
| Adrian D. Ronda, | Captn | Joseph Marschalk, | Captain or Lieut. |
| Wm A. Forbush, | Captn | John Whily, | Petition. |
| Aron Van Hook, | Captn or Lieut. | John Van Winkle, | Petition. |
| Benj. Walker, | | John Sanford, | Petition. |
| Jacob Reed, | 2d Lieut. | James Barrett. | Petition. |
| Saml Young, | do or Ensign | William Mier, | Lieut. |
| Matthew Clarkson, | Commissn | Ralph Furman, | Commission. |
| James Barrett, | Lieut. | John Whily (distiller), | do |
| John Burger, | Lieut. | Cornl Roosevelt, | do |
| James Prichard, | do | Wm. De Peyster, | do |

John Mason for Chaplain.
Andrew Harkness for an Ensign. Recommended by James Clinton.
John Clorgherty for Quartermaster.
Nehemiah Carpenter, willing to accept.
Silas Gray, for a Lieutenantcy. Recommended by Coll. Gansvt
Josiah Hubbard, for an Ensign.
Jeremiah Lansingh, for Paymaster, by Genl Ten Broeck.
Wm. Erskin, for an Ensigncy, by Capt. Codwise for his Compy

Names of Coll. Lasher's Officers.

| | | | |
|---|---|---|---|
| Philip Pelton, | Captain or Quartermaster. | David Cree, | |
| | | Saml Morlidge, | |
| Edward Nicol (Benj. Nicol's son), | | George Masavit, | |
| | | Edward Duncomb, | |
| James Alner, | | Jno Fairley, | |
| Henry Livingston, | | John Terrell, | |
| Philip Brashier, | Adjutant. | Andrew Oughterson, | |
| Henry Tiebout, | | Cornl Becker, | all privates. |
| Nichs Fish, | 2d Lieut. | Benj. Barris, | all privates. |
| Henry Brasher, | do | George Lucom, | all privates. |
| Willm Wilcock, | do 3 Lieut. | John Waldrin, | all privates. |
| Abm B. Bancker, | Comssn | Joseph Fortune, | all privates. |
| George Harson, | | Fredrick Stymes, | all privates. |
| Abm Brasher, | | Benjn Davis, | all privates. |

Recommendations.

[Mil. Commit. 25: 863.]

Benjamin Titus recommended for 2d Lieut by several officers.
Daniel Lawrence recommended by Jas Clinton.

| | | |
|---|---|---|
| Theophilus Beeckmans for | Capt | by Coll Stockholm and Major Abeel |
| John Banker | do | by Coll Stockholm and Major Abeel |
| William Leonard | do | by Coll Stockholm and Major Abeel |
| John Hardbergh | do | by Coll Stockholm and Major Abeel |

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| | | |
|---|---|---|
| Thomas Beeckman<br>Thomas Warner<br>John Vredenburgh | for a Lieutenantcy | by Coll Stockholm and Major Abeel |
| Hicks<br>North<br>Edward Dunscomb | for Do | By Do |
| Jeronimus Hogland for Adjutant | | By Do |
| Edward Meecks<br>James Blake<br>Prentice Bowen<br>Aspinwall Cornwall<br>John M^c^Foght | for Captain by Coll Malcolm | |
| John Sanford for Adjutant | do do | |

N. B. There is on the file a list of Coll. Malcolm's officers, and those who are fit for service noted down (see the list).

| | |
|---|---|
| —— Fish, Recom^d^ for a majority,..... | By Genl Scott |
| James Hinchman for an Ensign,..... | By Capt Jacob Wright |
| Guy Young for a Lieut<br>—— Peak for an Ensignecy ..... | By Coll. Van Schaick |
| John Johnson, a 1^st^ Lieut in 1^st^ Batt.,..... | By Major Ledyard |
| Tjerck De Witt, for a Lieut,..... | By James Clinton |
| Thomas Brinkly, for a Capt. Recomended,..... | By himself |
| Benjamin Marvin, for a Lieut. By himself,..... | By Hulbert |
| John M^c^Kinster for a Capt.<br>Thomas M^c^Kinster a Lieut ..... | By Robert Yates |
| Peter M^c^Gee, for a Lieut or Ensign,..... | By his brother |
| John Spoor, for an Ensign,..... ..... | By Coll R. V. Rensselaer |
| —— Smith for a Lieut Coll.,..... | By Coll. Livingston |
| Francis Harmore, for Quartermaster,..... | By Genl Clinton |
| Henry K. Van Rensselaer, for a Majority, ..... | By the delegates of Albany |
| —— Barret, for Ensign,..... | By Coll. Livingston |
| Hunlock Woodruff, for Surgeon,..... | By do |
| Robert Wood, for an Ensign,..... ..... | By Mr Jay in behalf of the Com^e^ of Conv^n^ |
| Nathaniel Platt, recom^d^ for a Capt,..... | By John Sloss Hobart |
| Jacob Wright, do do Company,..... | By Genl Scott |
| Benjamin Marvin, do Lieut, ..... | By John Sloss Hobart |
| Henry Diefendorph, do do ..... | By Jacob Cuyler |
| Theodocius Fowler, do 1^st^ Lieut to Capt Walker, | By Major Ledger |
| Ezekiel Cooper,..... | Appointed by Genl Montgomery |
| —— Lawrence, for a Lieut, ..... | By James Clinton |
| Peter Magee, for a Lieut,..... | By his brother |
| David Ellison, for a Lieut,..... | |
| Peter Elsworth, do ..... ..... | By Ja^s^ Clinton |
| Guy Young<br>Nathaniel Henry<br>Timothy Hughes recom^d^ for Lieuts ..... | By Coll. Van Schaick |
| Silas Gray, for 2^d^ Lieut,..... | By Coll Godwin |
| Jonathan Brown<br>Francis Shaw<br>—— Barret for Ensign,..... .. | By Coll Van Schaick |
| Abner French, for a Lieutenantcy,..... | |
| John Broughton, Recommended,..... | |
| Hugh M^c^Clallon, do ..... | |
| John Nichols, do ..... | |
| Simeon Gregier, do ..... | By Major Fonda |

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| | | |
|---|---|---|
| Abner French<br>Albert V. D'Werke<br>Gerrit Putnam | Recom$^{d}$ ..... | By Major Fonda |
| Gilbert Strang, for an Ensign, ..... | | By Capt Sackett |
| Hugh Galbreath, do in Captain Houston's Company, ..... | | |
| —— M$^{c}$Clannon, for an Ensign in Captain Austin's Company, ..... | | |
| George Denneson, for an Ensign, .. ..... | | By Ja$^{s}$ Clinton |
| Cornelius Bicker, ..... | | By An$^{y}$ Rutgers |
| John J. Meyers, for an Ensign, ..... | | By Sec$^{y}$ M$^{c}$Kisson |
| Jacobus A. Rosa, do in Jackson's Comp$^{y}$... | | By J. Clinton |
| Joseph Harper, do ..... | | |
| —— Moore, do ..... | | |
| Ensign Tremper, Recommended, ..... | | By Phil Livingston Esq |
| Leonard Gansevoort, Junr., ..... | | |
| John Tobias Ten Eyck, ..... | | |

Appointments.

[Mil. Commit. 25: 851, 854.]

Abraham Rycker, a Captain in the 2$^{d}$ Battalion in the Room of John Johnson.
John Copp, a Capt in the first Batt.
Robert M$^{c}$Keene, do .....
Barent J. Ten Eyck, do
Josiah Bagley, Ensign in the 3$^{d}$ Battalion (Gansevoort's).
Samuel Lewis, Ensign in 3$^{d}$ Batt., Swartwoudt's Company.
Christopher Hutton, Ensign in 3$^{d}$ Batt, Tiebout's.
Jeremiah C. Muller, do do
Prisoners. { Edward Dunscomb, 2$^{d}$ Lieut in Coll Lasher's.
Joronimus Hooghland, Adjutant & Lieut in do.
Garrit Van Waganaer.
Simon Gregoire, Ensign.
—— Lee, a Captain in Dubois's.
—— Rosekrans do

List of Line Officers in the Five N. Y. Continental Regiments in 1777.

[Mil. Commit. 25: 544.]

1$^{st}$ *Battalion.*

1$^{st}$

Joseph McKracken, Capt.
Gilbert King, 1$^{st}$ Lieut.
John Dinny, 2$^{d}$ Lieut.
Jonathan Brown, Ensign.

2

John Graham, Capt.
Nicholas Van Rensselaer, 1$^{st}$ Lieut.
Nathaniel Henry, 2$^{d}$ Lieut.
Thomas Hicks, Ensign.

3$^{d}$

Andrew Fink, Captain.
Tobias Van Vight, 1$^{st}$ Lieut.
Bartholemew Van Valkenburg, 2$^{d}$ Lieut.
Jacob Ja Clock, Ensign.

4$^{th}$

John Copp, Captain.
Barrent S. Salisbury, 1$^{st}$ Lieut.
Ephraim Snow, 2$^{d}$ Lieut.
James Burnet, Ensign.

5$^{th}$

Benjamin Hicks, Captain.
Charles Parsons, 1$^{st}$ Lieut.
Samuel Thorn, 2$^{d}$ Lieut.
Wilhelmus Ryckman, Ensign.

6$^{th}$

David Van Ness, Captain.
John Hooghkerk, 1$^{st}$ Lieut.
Abraham Hardenbergh, 2$^{d}$ Lieut.
Jacob H. Wendell, Ensign.

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7th
Robert McKeene, Captain.
John C. Ten Broeck, 1st Lieut.
William Scudder, 2d Lieut.
James Moore, Ensign.

8th
John H. Wendell, Capt.
Adiel Sherwood, 1st Lieut.
John Oostrander, 2d Lieut.
Jeremiah C. Miller, Ensign.

Ebenezer Haviland, Surgeon.

2d *Battalion.*

1st
Abraham Ryker, Capt.
Matthew Clark, 1st Lieut.
William Monday, 2d Lieut.
Peter Dolson, Ensign.

2d
Benjamin Pelton, Capt.
Abner French, 1st Lieut.
Jacob Bamper, 2d Lieut.
Tjirck Beeckman, Ensign.

3d
Charles Graham, Capt.
James Miller, 1st Lieut.
James Fairly, 2d Lieut.
Robert Wood, Ensign.

4th
Samuel T. Pell, Captain.
Isaac Sherwood, 1st Lieut.
George Johnson, 2d Lieut.
Andrew White, Ensign.

5th
Barrent Ten Eyck, Capt.
Robert Wood, 1st Lieut.
Gilbert James Livingston, 2d Lieut.
William Gleuny, Ensign.

6th
Jacob Wright, Captain.
Isaac Van Wert, 1st Lieut.
Charles Wiessenfels, 2d Lieut.
Gerrit Van Wagenen, Ensign.

7th
Jonathan Hallet, Capt.
Christopher Codwise, 1st Lieut.
John Hardenbergh, 2d Lieut.
Joseph Harper, Ensign.

8th
Edward Lounsberry, Capt.
Charles Newkerk, 1st Lieut.
Jeremiah Clarke, 2d Lieut.
William Nottingham, Ensign.

3d *Battalion.*

1st
Elias Van Bunschooten, Capt.
Henry Dieffendorf, 1st Lieut.
Thomas Oostrander, 2d Lieut.
Peter McGee, Ensign.

2d
Thomas De wit, Capt.
William Taylor, 1st Lieut.
Benjamin Bogardus, 2d Lieut.
John Spoor, Ensign.

3d
Cornelius T. Jansen, Capt.
Nanning Vander Hyden, 1st Lieut.
Moses Yeoman, 2d Lieut.
Josiah Bagley, Ensign.

4th
Abraham Swartwoudt, Capt.
Philip Conine, 1st Lieut.
Gilbert R. G. Livingston, 2d Lieut.
Samuel Lewis Ensign.

5th
Aaron Aorson, Capt,
John Bail, 1st Lieut.
Gerrit Staats, 2d Lieut.
Eldert Ament, Ensign.

6th
James Gregg, Capt.
Levi Stockwell, 1st Lieut.
Thomas Warner, 2d Lieut.
George Dennison, Ensign.

7th
Henry Tiebout, Capt.
Isaac Bogert, 1st Lieut.
Thomas McClennen, 2d Lieut.
Christopher Hutton, Ensign.

8th
John Houston, Capt.
John Welch, 1st Lieut.
Prentice Bowen, 2d Lieut.
William Hillreath, Ensign.

Hunlocke Woodruff, Surgeon.

4th *Battalion.*

1st
Samuel Sacket, Capt.
Nathaniel Norton, 1st Lieut.
John Smith, 2d Lieut.
Gilbert Strang, Ensign.

2d
John Davis, Captain.
William Havens, 1st Lieut.
Silvanus Conklin 2d Lieut.
Caleb Brewster, Ensign.



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3d
Jonathan Purcy, Capt.
John Van Antwerpe, 1st Lieut.
Peter Van Bunschooten, 2d Lieut.
Rudolphus Van Hovenbergh, Ensign.

4th
William Jackson, Capt.
Benjamin Marvin, 1st Lieut.
Cornelius Bicker, 2d Lieut.
Joseph Frylock, Ensign.

5th
Nathan Strong, Captain.
Edward Conklin, 1st Lieut.
Peter Elsworth, 2d Lieut.
James Barroe, Ensign.

6th
Benjamin Walker, Capt.
—— Fowler, 1st Lieut.
Silas Gray, 2d Lieut.
Simon Cregier, Ensign.

7th
Israel Smith, Captain.
Edward Dunscomb, 1st Lieut.
Thomas Hunt, 2d Lieut.
Isaac Rose, Ensign.

8th
Jonathan Titus, Capt.
John Lloyd, 1st Lieut.
Abraham Hyatt, 2d Lieut.
John Punderson, Ensign.

N. B.—Peter Vonck, Q. Master.

5th *Battalion.*

1st
Jacobus Rosecrans, Capt.
Henry Dodge, 1st Lieut.
Samuel Dodge, 2d Lieut.
Henry Swartwoudt, Ensign.

2d
Leonard Bleecker, Capt.
Patten Jackson, 1st Lieut.
John Foreman, 2d Lieut.
Edward Weaver, Ensign.

3d
James Stewart, Captain.
John Burnet, 1st Lieut.
Alexander McArthur, 2d Lieut.
John McCloughrey, Ensign.

4th
Philip Dubois Bevier, Capt.
Thomas Brinkley, 1st Lieut.
Samuel English, 2d Lieut.
Jacobus Sleght, Ensign.

5th
John Johnson, Capt.
Henry Vanden Bergh, 1st Lieut.
James Betts, 2d Lieut.
Henry J. Vanden Bergh, Ensign.

6th
John Hamstramck, Capt.
Andrew Lawrence, 1st Lieut.
Daniel Lawrence, 2d Lieut.
Archibald Thompson, Ensign.

7th
Henry Goodwin, Captain.
Solomon Pendleton, 1st Lieut.
Ebenezer Mott, 2d Lieut.
Abraham Leggett, Ensign.

8th
Thomas Lee, Captain.
Henry Pawling, 1st Lieut.
Daniel Birdsall, 2d Lieut.
Thomas Beyux, Ensign.

Henry Dubois, Adjutant.
John Coates, Surgeon.
Nehemia Carpenter, Q. Master.
Hugh McClellan, 2 lent.
Albert Pawling, aid Major.
Teunis Tappen, paymaster.

Memorandum endorsed on the above List.

Lt Col Weissenfels informs that Insign Thomas Bushfield was taken Prisoner at Pluckhim in New-Jersey, Carried to Brunswic, and there, rather than continue in prison, enlisted with the Enemy and took the Oath of fidelity to George—afterwards left them, and is now at Fish Kill. The Col. begs to lay the propriety of this Gentn continuance in Service before the Committee. Jan. 26, [1777]

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Rank of the Officers in the 5 N. Y. Continental Regiments in 1775, 1776, and 1777.

[Mil. Commit. 25: 172.]

| Rank in 1777. | In 1775. | In 1776. |
|---|---|---|
| | *Colonels.* | |
| 1. Goose Van Schaick, Esq. | Coll. of 2d Batt., | Coll. of a Regiment. |
| 2. Philip Van Courtlandt, Esq. | Lieut.-Coll. 4th Batt. | Lieut.-Coll. 4th Batt. |
| 3. Peter Gansevoort, Esq., | Major of 2d Batt., | Lieut.-Coll. of V. Schaick's Batt. |
| 4. Lewis Dubois, Esq., | a 15th Captain, | Appointed by Congress a Coll. |
| 5. Henry B. Livingston, Esq. | a 4th Captain, | Lieut.-Coll. of Clinton's Batt. |
| | *Lieut.-Coll.* | |
| 1. Frederick Weisenfels, Esq. | 1st Captain, | Lieut.-Coll. to Ritzema's Batt. |
| 2. Marinus Willett, Esq., | 5th Captain, | |
| 3. Cornelius Van Dyck, Esq., | 6th Captain, | Coll. of the draft Militia. |
| Jacobus Bruyn, Esq., | 27th Captain, | Appointed Lieut.-Coll. to Dubois' Batt. |
| Pierre Regnier. | | |
| | *Majors.* | |
| Christopher P. Yates, | 14th Captain, | |
| Benjamin Ledyard, | 33d Captain, | 2d Capt. 1st Batt. |
| Robert Cochran, | | A Capt. in Elmore's Batt. |
| Jacob Morris, | | Aid-de-Camp to Gen'l Lee. |
| Nicholas Fish, | | Brig. Major to Gen'l Scott. |
| | *Captains.* | |
| 1. Barent Ten Eyck, | 10th Captain, | Lieut.-Coll. of the Alby draft Militia. |
| 2. Joseph McCracken, | 26th Captain, | 1st Capt. in Van Schaick's Regt. |
| 3. John Graham, | 34th Captain, | 3d Capt. in Nicholson's Regt. |
| 5. Samuel Sackett, | 8th 1st Lieut., | Appointed a Capt. in Canada by Gen'l Montgomery. |
| 6. John Davis, | 11th 1st Lieut., | 3d Capt. in the 2d Batt. |
| 7. Abraham Ryker, | 12th 1st Lieut., | 2d Capt. in the 3d Batt. |
| 8. Andrew Fink. | 14th 1st Lieut. | Capt. in Van Schaick's Regt. |
| 9. Elias Van Bunschoten, | 15th 1st Lieut., | 2d Capt. in Coll. Dubois' Regt. |
| 13. John Copp, | 2d 1st Lieut. | Capt. in Nicholson's Regt. |
| 14. Benjamin Pelton, | 25th 1st Lieut., | 7th Capt. in the 3d Batt. |
| 15. Thomas De Witt, | 27th 1st Lieut., | 3d Capt. in Dubois' Regt. |
| Jonathan Piercy, | 29th 1st Lieut., | |
| 17. Cornelius T. Jansen, | 35th 1st Lieut., | 8th Capt. in Dubois' Regt. |
| 4. Jacobus Rosekrans, | 36th Captain, | 3d Capt. in the 2d Batt. |
| 18. Benjamin Hicks, | | 4th Capt. in Van Schaick's Regt. |
| 19. William Jackson, | | 5th Capt. in the 2d Batt. |
| 20. David Van Ness, | | 6th Capt. in Van Schaick's Regt. |
| 21. Abraham Swartwoudt, | | 7th Capt. in the 2d Batt. |
| 23. John H. Wendell, | | Capt. in the 4th Batt. |
| 22. Robert McKeene, | | Capt. in the 4th Batt. |
| 24. Jacob Wright, | | Capt. in Lasher's Regt. M |
| 25. James Stewart, | | Capt. in Malcolm's Regt. M. |
| 26. Philip Dubois Bevier, | 39th 2d Lieut., | 5th Capt. in Dubois Regt. |
| 27. Henry Godwin, | | Capt. in Swartwoudt's Regt. M |
| 28. John Hamstramick, | | Capt. in Canada. |
| 29. Leonard Bleecker, | 5th 2d Lieut. | 1st 1st Lieut., 1st Batt. |
| 30. Nathan Strong, | | 1st 1st Lieut., 3d Batt. |
| 32. Jonathan Hallett, | | 2d 1st Lieut., 3d Batt. |
| 33. Benjamin Walker, | | 3d 1st Lieut., 1st Batt. |
| 34. Edward Lounsberry, | | 3d 1st Lieut., 3d Batt. |
| 35. James Gregg, | 7th 2d Lieut., | 1st 1st Lieut. Dubois' Regt. |
| 36. John Johnston, | | 4th 1st Lieut. 1st Batt. |

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| | Rank in 1775 | Rank in 1776 |
|---|---|---|
| 37. Israel Smith, | | 4th 1st Lieut. 2d Batt. |
| 38. Henry Tiebout, | | 7th 1st Lieut. 1st Batt. |
| 39. Jonathan Titus, | | 8th 1st Lieut. 2d Batt. |
| 40. John Houston, | 17th 2d Lieut., | |
| 41. Thomas Lee, | 36th 2d Lieut., | 2d 5th Lieut. 2d Batt. |
| John Wiley, | | 4th Capt. 1st Batt. |
| John Grennell, | 19th Capt., | |
| Sam'l Van Veghten, | | 2d Capt. 4th Batt. |
| Gerrit Veeder, | | 6th Capt. 4th Batt. |
| Elijah Hunter, | | Capt. in Clinton's Brig. M. |
| Richard Platt, | | 6th Capt. Dubois' Regt. |
| Albert Pawling (sup. Maj) | | 7th do do do |
| Charles Graham, | 16th 1st Lieut., | |
| Aaron Aorson, | 17th 1st Lieut., | 2d 1st Lieut. Dubois' Regt. |
| Sam'l T. Pell, | 20th 1st Lieut., | A volunteer in service. |
| Jonathan Pearcy, | 29th 1st Lieut., | 3d 1st Lieut. Dubois' Regt. |
| Abraham E. Brasher, | 9th 2d Lieut., | 1st Lieut. 1st Batt. |

*First Lieutenants.*

| | | |
|---|---|---|
| 1. Matthew Clark, | 37th 1st Lieut., | |
| 2. Nathaniel Norton, | 3d 2d Lieut., | 1st 1st Lieut. 3d Batt. |
| 3. Guy Young, | 6th 2d Lieut., | 1st Lieut. in Van Schaick's Batt. |
| 4. Wm. Havens, | 11th 2d Lieut., | 3d 5th Lieut. 2d Batt. |
| 6. Nicholas Van Rensselaer, | 34th 2d Lieut., | |
| 11. Charles Parsons, | | 4th 1st Lieut. in Van Schaick's. |
| 10. Henry Diefendorph, | | 3d 1st Lieut. do do |
| 15. John Hoghkerck, | | 7th 1st Lieut. 4th Batt. |
| 8. John C. Ten Broeck, | | 2d 1st Lieut do |
| 12. Adiel Sherwood, | | 4th 1st Lieut. do |
| 7. Barent Staats Salisberry. | | 1st 1st Lieut. do |
| 13. Patten Jackson, | | 6th 1st Lieut. 3d do |
| 14. John Lloyd, | | 7th 1st Lieut. 2d do |
| 17. Tobias Van Veghte, | | 2d 2d Lieut. Van Schaick's. |
| 16. James Miller, | | 1st 2d Lieut. 3d Batt. |
| 18. John Ball, | | 2d 2d Lieut. 4th do |
| 19. Edward Conklin, | | 3d 2d Lieut. 2d do |
| 20. Charles Newkerk. | | 3d 2d Lieut. 3d do |
| 21. John Welch, | | 3d 2d Lieut. 4th do |
| 22. Nanning Van der Heyden, | | 4th 2d Lieut. Van Schaick's. |
| 23. Isaac Sherwood, | | 4th 2d Lieut. 3d Batt. |
| 24. Levi Stockwell, | | 4th 2d Lieut. 4th do |
| 25. Henry Pawling, | | 5th 2d Lieut. 2d do |
| 26. Isaac Bogert, | | 5th 2d Lieut. 4th do |
| 27. Robert Wood, | | 6th 2d Lieut. 3d Batt. |
| 28. Philip Conine, | | 7th 2d Lieut. Van Schaick's. |
| 29. William Tapp, | | 8th 2d Lieut. 2d Batt. |
| 30. Abner French, | | 4th 1st Lieut. 4th do |
| 5. Isaac Van Wert, | 21st 2d Lieut., | |
| Christopher Codwise, | | |
| Theodicius Fowler, | | |
| Edward Dunscomb, | | |
| Henry Dodge, | | |
| John Burnet, | | |
| Thomas Brinkley, | | |
| Henry Vandenburgh, | | |
| Andrew Lawrence, | | |
| 9. Solomon Pendleton, | | 3d 1st Lieut. 4th Batt. |

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*Second Lieutenants:*

| Rank in 1775. | Rank in 1776. |
|---|---|
| Gilbert R. Livingston, | 1st Ensign 1st Batt. |
| Wm Munday, | 2d do do |
| John Denny, | 3d Ensign in V. Schaicks, |
| Silvanus Conklin, | 3d do 2d Batt |
| Jeremiah Clark, | 3d do 3d do |
| John Ostrander, | 3d do 4th do |
| Wm. Scuder, | 4th do do do |
| Abraham Hardenbergh, | 5th do do do |
| Ephraim Snow, | 6th do Van Schaick's |
| Gilbert James Livingston, | 6th do 2d Batt. |
| George Johnson, | 6th do 3d do |
| James Fairly, | 7th do 1st do |
| Charles F. Weisenfels, | do Nichols Regt |
| Nathaniel Henry, | 2d 2d Lt in Coll. |
| Bartholomew Van Valkenburgh, | |
| Samuel Thorn, | Lieut in Albany Rangers |
| Jacob Bampier, | |
| John L. Hardenburgh, | Lieut in draft Militia |
| Thos Oostrander, | |
| Benjamin Bogardus, | |
| Gerrit Staats, | Lieut in Albany Rangers |
| Thomas Warner, | 6th 2d Lieut Coll. Nichols |
| Thomas McClannen, | Lieut do |
| Prentice Bowen, | 4th 2d Lieut Malcolm's Regt. |
| Peter Van Bunschoten, | |
| Cornelius Bicker, | |
| Peter Elsworth, | |
| Silas Gray, | |
| Thomas Hunt, | |
| Abraham Hyatt, | |
| Samuel Dodge, | |
| John Foreman, | |
| Alexr McArthur, | |
| Samuel English, | |
| James Betts, | |
| Daniel Lawrence, | |
| Ebenezer Mott, | |
| Daniel Birdsall, | |
| John Van Antwerpe, | Lt in draft Militia. |

*Ensigns:*

Rank in 1777.

| | | |
|---|---|---|
| Jonathan Brown, | Joseph Harper, | Joseph Frylock |
| Thomas Hicks, | Wm. Nottingham, | James Barret, |
| Jacob Ja. Clock, | Peter Magee, | Simeon Gregier, |
| Wilhelmus Ryckman, | John Spoor, | Isaac Rose, |
| Jacob H. Wendell, | Josiah Bagley, | John Punderson, |
| James Moore, | Samuel Lewis, | Henry Swartwoudt, |
| Benj. Gilbert, | Eldert Ament, | Edward Weaver, |
| Jeremiah C. Muller, | George Dennison | John McCloughery, |
| Peter Dolson, | Christopher Hutton, | Jacobus Sleght, |
| Tjerck Beeckman, | Wm. Galbreath, 8th 2d Lieut | Henry J. Vandenbergh, |
| Robert Wood, | Nichols Regt in 1776. | Archibald Thompson, |
| Andrew White, | Gilbert Strong, | Abraham Leggett, |
| Wm. Glenny, | Caleb Brewster, | Thomas Beyoux. |
| Tunis Van Wagenen, | Rudolphus Van Hovenburgh, | |

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*Westchester County Volunteers.*

[Mil. Commit. 25 : 778.]

A Role of the Officers that are Destitute of Commishons aCording to their Rank in Coll° Cornelious Humfreys Reg^t

Brinton Paine, Maj^r

Cap^t William Mead,
Isaac Bloom,
William Chamberlen.

1^rst Lieu^t Joshua Champain,
John M^cNeall,
Ebenezer Hatch.

2^d Lieu^t Edmund Ferlee,
Reuben Doty.

Ins John Vanderburt.

Staff.

David Doty, Adj^t

Epheraim Masten, Quar^t Master.

Pleas to send Comishons for the above persons aCording to their Ranks.

[January 1777.] CORNELIUS HUMFREY, *Colo^t*

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*Instructions to Captain Haasbrouck and others.*

[Associations, &c., 30 : 477.]

[27 March 1777.]

GENTLEMEN: By the Copy of the Resolutions of this House of the 27 Day of March 1777, last herewith sent you you will collect their Intentions in raising a Corps of Rangers which as you will perceive by our Resolutions of this day you are directed to pay and arrange.

These Rangers have not as we are informed been raised according to the Direction or true Intent and Meaning of those Resolutions, 1^st because many of them are not from the Tenor of their Inlistment bound (as they say) to serve during the War. 2^dly because many of them are not holden to serve out of their several Counties & 3^dly because they conceive themselves not to be under the absolute Direction of this Convention as was by the said Resolutions intended.

There objections arise as we are informed from two capital Sources, 1^st that the Officers in order to complete their Companies have in some Instances deceived the Soldiers, 2^dly that the Soldiers being well acquainted with the true Intent and Meaning of the Resolutions have made sinister Contracts with their Officers to be released in Case they Should be drafted obliged to do Garrison Duty and the like. To this they add that in some Instances the Resolutions have not been fully understood in that extensive Latitude with which they were drawn. As the Convention conceive themselves bound to keep Faith between the State and Individuals and at the same time to be faithful Guardians of the several Trusts reposed in them by their Constituents and particularly not to lavish the public funds. And as they cannot possibly attend to the adjustment of these accounts while matters of higher moment so loudly claim their attention. Reposing therefore especial Confidence in you they have delegated in this Instance their authority to you. You will therefore in the first Place generally discharge all such of the said Rangers as being unwilling to serve will forego their Pay, Bounty and Subsistence and in Lieu thereof accept a reasonable Compensation for the Services they have actually performed.

Secondly, All such of the said Rangers as shall enlist in one of the five Regiments now raising within this State you shall allow the full Pay & Subsistence during their Time of Service together with the whole Bounty, taking Care that you do receive of the Officer under whom they enlist the sum of twenty Dollars for each Man.

Thirdly, where it shall appear that the Men have actually been deceived by their Officers, you shall return the Names of such officers and make a small allowance to the Men for the said Bounty proportioned to the Times of their actual Service even tho they do refuse to enlist as aforesaid.

Fourthly, where it shall appear that the Soldiers have not been Deceived by their Officers but together with their officers have joined in such contracts (either

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verbally or otherwise) as are above stated you shall in like manner return the Names of the Officers and you shall pay such men for their actual Services without any allowance of Bounty unless they shall re-enlist as aforesaid.

Fifthly, if any of the said Soldiers having received already their Bounty, Pay and Subsistence shall refuse to reinlist as aforesaid and shall also refuse to accept a reasonable Compensation for their Services in Lieu of such Bounty, Pay and Subsistence you shall draft the said Men into one of the said Regiments and make Return of their Names and Places of abode, together with the Regiments into which they have been so drafted as aforesaid.

Lastly, where it shall appear to you that any of the said Officers have done their Duty faithfully and honestly and are worthy of holding Commissions you shall make return of their several Names, Offices and Places of abode.

*Resolved*, that the Companies of Rangers commanded by Captain Elias Haasbrouck, Jacob Rutson D. Witt, Alex^r Baldwin, John A. Bradt, John Winn, Joshua Conckey, & Lieut. Gideon Squ....be and they are hereby discharged.

*Resolved*, that Copies of the aforegoing Resolution be served upon the Persons therein named and that their several Companies be paid until the Time of the Service of such copies respectively.

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*Pass to Gilbert Jones.*

[Miscel. Pap. 37: 599.]

Permission is hereby Granted to M^r Gilbert Jones to go to Nassau Island to obtain leave of the Commanding Officer there to remove the Family and furniture of Colonel Benjamin Birdsall.

Given at PEEKS KILL 28^th March 1777.

ALEX M^cDOUGALL, *B General.*

To Commanding officer on Nassau Island.

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*Minutes of Commissioners for the Regulation of Prices.*

[Miscel. Pap. 37: 601.]

YORK TOWN Wednesday Morning March 26^th 1777.

The Commissioners appointed by the States of New York, New Jersey, Pennsylvania, Delaware, Maryland and Virginia for the purpose of considering of and forming a system of Regulation adapted to those States to regulate the price of Labour, of Manufactures and of internal Produce within those States and of goods imported from foreign Parts except Military Stores to be laid before the respective Legislature of each State for their approbation met at the house of M^r William White

*Present:*

for the New York State.

John Sloss Hobert, Col Robert Van Rennselaer.

for the New Jersey State.

Theophelus Elmer, Joseph Holmes.

for the Pennsylvania State.

George Henry, Esq. Richard Thomas,
Bartram Galbreath, David M^cConaughy.
John Whitehill,

for the Delaware State.

Brigadier General Cesar Rodney, Colonel James Latimer.
Lt Col Thomas Collin,

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for the Maryland State.

Norman Bruce, Henry Griffith,
John Braeco, Joseph Sim.

for the Virginia State.

Lewis Burwell, Thomas Adams.

Lewis Burwell Esq^r chosen Chairman and Thomas Armor Clerk.

The several Commissioners produced their Credentials which were read approved and filed.

The resolves of Congress recommending to the several Legislatures or in their Recess to the executive Power of the States of New York, New Jersey Pennsylvania, Delaware, Maryland, and Virginia to appoint commissioners to meet at York Town in Pennsylvania on the third Monday of March instant to consider of and form a system of Regulations adapted to those States to be laid before the respective Legislatures of each State for their approbation was read and filed.

Adjourned to three o'clock afternoon.

Wednesday afternoon three o clock.

The Commissioners met pursuant to adjournment.

*Present:* Lewis Burwell, Chairman, &c.

*Ordered* that M^r Hobert, M^r Henry and M^r Adams be a Committee to Devise Ways and Means to prevent the mischief arising from a spirit of Monopoly so prevelent in these States.

Adjourned till to morrow morning at 10 o clock.

Thursday morning 10 o'clock March 27^th 1777.

The Commissioners met pursuant to adjournment.

*Present:* Lewis Burwell, Chairman, &c.

Adjourned till 4 o clock in the afternoon.

Thursday 4 o'clock in the afternoon 27^th March 1777.

The Commissioners met pursuant to adjournment.

*Present:* Lewis Burwell, Chairman, &^c

The Committee to whom it was referred to devise ways and means &^c made their report which being read was ordered to lie on the table for consideration till to morrow morning and is in the words following:

Your Committee to whom it was referred to devise ways and means to prevent the evils arising from the spirit of Monopoly so prevelent at present have taken the same into consideration and beg leave to report the following resolves:

Whereas many evil minded and disaffected persons have engrossed and monopolized large quantities of the necessarys of Life in order to inhance the price, distress the Army and discourage the good people of the States in their present glorious struggle for their Liberties,

*Resolved*, That it be recommended to the several Legislatures of New York, New Jersey, Pennsylvania, Delaware, Maryland & Virginia to pass Laws for the purpose of fixing the price and enforcing the sale of such necessary articles as have been or may be from time to time engrosed with or by the Monopolizer or Manfacturers and which shall be necessary for the use of the Army or the consumption of the Inhabitants.

*Resolved*, That the price of the following articles that shall have been or may be engrosed and monopolized as aforesaid do not exceede in any or either of the said States the Rates here in after mentioned.

*Resolved*, That it be further recommended to the several Legislatures aforesaid from time to time to fix the price and enforce the sale of such other necessary articles imported from foreign Parts as may be monopolized in manner aforesaid.

*Resolved*, That no person ought to be considered as an engrosser or monopolizer who shall keep an open shop for the purpose of selling goods by retail and who shall make no distinction in the price between Gold or Silver and Continental Bills or the Bills of Credit of the respective states where the sale shall happen.

Adjourned till 10 O'clock to-morrow morning.

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Friday Morning, 10 O'clock, March 28th 1777.

The Commissioners met pursuant to adjournment.

*Present:* Lewis Burwell, Esqr Chairman, &c.

The report was read and debated.

Adjourned till 3 O'clock in the afternoon.

Friday Afternoon, 3 O'clock, March 28th 1777.

The Commissioners met pursuant to adjournment.

*Present:* Lewis Burwell, Esqr Chairman, &c.

After some time spent in consideration of the report

*Ordered*, that the further consideration thereof be deferred till to-morrow morning.

Adjourned till 10 o'clock to-morrow morning.

Saturday, 10 O'clock, March 29th 1777.

The Commissioners met pursuant to adjournment.

*Present:* Lewis Burwell, Esqr Chairman, &c.

*Ordered*, that the report be recommitted and that Mr Bracco, Mr Collins and Mr Elmer be added to the Committee and that they be instructed to prepare a system of Measures for remedying the evils occasioned by the present fluctuating and exorbitant Prices of Labour, of Manufactures of internal Produce and of goods imported from foreign Parts except Military Stores.

Adjourned till 10 O'clock Monday morning.

Monday Morning, 10 O'clock, March 31st 1777.

The Commissioners met pursuant to adjournment.

*Present:* Lewis Burwell, Esqr. Chairman, &c.

The Committee made their report which being read was ordered to lay on the Table for consideration and is in the words following to wit:

Your Committee to whom was recommitted the report of a Plan to prevent the evils arising from a spirit of monopoly so prevalent at present with an instruction to prepare a system of measures for remedying the evil occasioned by the present fluctuating and exorbitant prices of Labour, manufactures, Internal Produce and goods imported from foreign Parts have taken the same into consideration and are of opinion that the present fluctuating and exorbitant prices of those articles are owing to the following causes.

1st The great quantity of Paper currancy brought into circulation for the purpose of supporting the war whereby that medium greatly exceeds the quantity of transferrable property especially in those states in the neighbourhood of the Army and is therefore so far forth decreased in its value to those who have no further use for it than to purchase the necessarys and conveniences of life.

2d The nonimportation agreement which subsisted while any Hope remained that Great Britain would do justice to the Colonies and the great risk attending a foreign commerce since the Declaration of war have prevented the Inhabitants of these states from receiving the usual supplies of Foreign commodities which together with the scarcity of raw material and Implements requsite for their manufacturing the necessarys and conveniences of Life within themselves have reduced the quantity on hand greatly below the Demand for the actual consumption of the Country. Add to these that a number of disaffected and inimical persons in the different states who eagerly seize every opportunity of perplexing and distressing the good people in their present glorious struggle for every thing that ought to be Dear to Free men have refused to receive the continental and other currencys in payments and where that could not be avoided have by investing their money in Silver, Gold and other commodities which have an Intrinsic Value and by giving high and extravagant prices for the same led the way for many inconsiderate persons to follow so pernicious an example whereby the spirit of monopoly and extorsion have increased great quantities of the necessarys and conveniences of Life have been purchased and laid up by some under an expectation that should the event of the war prove unfavorable to the United States property would be more secure in those articles than in



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paper curency. By others with a view to the rapid increase of their Fortunes by extorting an exorbitant advance upon the prime cost of their goods which has induced the manufacturer to withold his commodities and the labourer his service unless they could obtain a price equally extravagant.

For the remedy of which and to prevent the like evils in future your committee are of oppinion That a general and permanent system for giving stability to and preventing extortion in the prices of Labour, of manufactures and of Internal produce within the United States and goods imported from Foreign Parts ought to be adopted and for this desirable purpose Beg leave to report the following Resolves:

*Resolved first*, That it be recommended to the several Legislatures of New York, New Jersey, Pennsylvania, Delaware, Maryland and Virginia by Taxes and otherwise according to the abilities of their respective states to collect as much as possible of the Paper currency already emited and not to issue the same again but in cases of the most urgent necessity.

*Resolved secondly* That it be recommended to the several Legislatures aforesaid to fix the prices and inforce the sale of such commodities as now are or hereafter shall be in the hands of those persons who engross, monopolize or withold them from market the same being necessary for the use of the Army or Navy or the consumption of the Inhabitants and that the following articles which may be so engrosed, monopolized or withheld from market be sold at a Rate not exceeding the price hereinafter mentioned viz. And that the prices of all other articles that are or may be Engrossed, monopolized or withheld from market as aforesaid be fixed by the respective Legislatures in such manner as that they shall bear the same proportion to those already enumerated which they usually did before the commencement of the present war.

And whereas the price of Labour and of Manufactures ought to be proportionate to each other,

*Resolved*, That it be recommended to the Legislatures aforesaid to pass Laws for the purpose of Fixing and setling the rates and prices hereinafter enumerated viz.

And further That the manufactures not herein enumerated be Rated by the respective Legislatures in such manner as that the prices may bear the same proportion to the price of Labour as now fixed that they did before the commencement of the present war and whereas the practice of exposing goods and Merchandize to sale by way of publick vendue has tended to increase the present fluctuating and exorbitant prices of the necessarys and conveniencies of Life and encourage the spirit of Monopoly,

*Resolved* that it be recommended to the respective Legislatures aforesaid to pass Laws for restraining such practice in future except in the case of commodities which shall have been condemned in a Court of Admirality or taken by process Issuing out of the other Courts of Law in which cases to Regulate the sale by providing that no goods, wares or merchandize be sold in large lotts and that no lott be removed from the warehouse in which it shall be stored under the care and direction of the propper officer untill the purchase money for the same be first paid down. And whereas the most speedy and effectual measures ought to be persued for procuring a sufficient supply of those commodities which are more immediately necessary for the use of the Army and Navy and the consumption of the Inhabitants.

*Resolved*, That it be recommended to the respective Legislatures aforesaid to encourage the commerce of foreign Parts by establishing Publick Assurance offices on the account of the respective states, To encourage by premiums and otherwise for a limited time the importation of medicines, woolen and Linnen cloths, coarse Hosiery, Felt Hats, Raw Hides, Tanned Leather, Men's common shoes, salt and wool, cotton and tow cards. To discourage by every prudent measure the importation and use of fine woolen and Linnen clothes and all kinds of superfluitys, To prohibit the exportation of skins and Furrs of all kinds except to some one or other of the United States. To encourage by Premiums and otherwise the encreasing the number and improving the Breed of Sheep, the Raising of Flax, Hemp & Cotton, the Manufacturing of coarse woolen and linnen Cloths and the Erecting of slitting and wire Mills and all salt works. Adjourned till 3 o clock afternoon Monday.

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3 o clock afternoon, March 31st 1777.

The commissioners met pursuant to adjournment.

*Present:* Lewis Burwell, Esq., Chairman &c.

The report was read a second time and taken into consideration. After some time spent therein,

*Resolved* That the further consideration of it be deferred till to-morrow morning.

Adjourned till to morrow morning 10 o clock.

Tuesday morning, 10 o clock, April 1st 1777.

The Commissioners met pursuant to adjournment.

*Present:* Lewis Burwell, Esqr, Chairman, &c.

The consideration of the report was resumed. A motion was made and seconded that the Report be rejected and the Question being put it was carried in the negative in the manner following: viz.

| *For the Affirmative,* | *For the Negative,* |
|---|---|
| Pennsylvania, | New York, |
| Delaware, | New Jersey, |
| Maryland. | Virginia. |

Adjourned till 3 o clock atternoon.

Tuesday afternoon 3 o clock.

The Commissioners met pursuant to adjournment.

*Present:* Lewis Burwell, Esqr., Chairman, &c.

Adjourned till 10 o clock to morrow morning.

Wednesday morning 10 O clock April 2d 1777.

The Commissioners met pursuant to adjournment.

*Present:* Lewis Burwell, Chairman, &c.

Mr Bracco moved and was seconded by Mr Bruce That the Report be mended as follows in the third Resolves after the word (Labour) leave out the word (and) and after the word (Manufactures) insert the words (Internal produce) within these States and of goods imported from Foreign Parts except Military Stores and coarse Woolens, linnens, Felt Hats, coarse Hosiery and men's common shoes for the use of the Army only, Implements for Manufacture, Medicines, Raw Hides & Salt.

For the Question Delaware. Against the Question New York, New Jersey, Pennsylvania and Virginia. Maryland divided.

Adjourned till 4 o clock in the afternoon.

Wednesday 4 o clock in the afternoon.

The Commissioners met pursuant to adjournment.

*Present:* Lewis Burwell, Esqr Chairman, &c.

After some time spent in consideration of the Report the Commissioners came to the following Resolutions Viz:

Whereas it appears in the course of the proceeding of this Board That there is a great dissimilarity of Sentiments among the Commissioners about the measures to be adopted for remedying the evils occasioned by the fluctuating and exorbitant prices of Labour, Manufacture and internal produce within these States and of goods imported from Foreign Parts except Military Stores some conceiving themselves restricted by the resolves of Congress and the instructions received from their respective Legislatures from entering into any Regulations but such as shall directly limit the prices of those articles while others conceiving that such regulations will be productive of the most fatal consequences to these states are for adopting measures which in their opinion will in their operation tend to counteract the causes which have occasioned the evils so justly complained of from whence it is evident That this Board cannot proceed with unanimity in establishing any particular system of measures for answering the purpose of their meeting

*Therefore Resolved* unanimously that certified copys of the proceedings of the

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Board be Transmitted to Congress and to the respective Legislatures of New York, New Jersey, Pennsylvania, Delaware, Maryland and Virginia and that this meeting be dissolved.

A True Coppy,
LEWIS BURWELL, *Chairman.*

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*Commissioners of Dutchess County to John McKesson and Robert Benson.*

[Miscel. Pap. 37: 594.]

FISH KILL March 31st 1777.

GENTn There are four prisoners of War sent to our care this Day by Genl McDougall and understanding that you are appointed Commissaries for Prisoners we take this first opportunity of informing you of the matter with a request that you will appoint some Person to take charge of them and make a necessary provision for their support. Our Guard here is very weak and the number of persons confined in the Guard House great, so that we should be glad to be relieved from the care of these prisoners as soon as possible.

We remain Your very humbl Servts

EGBT BENSON,
JACOBUS SWARTWOUT, } *Comissrs*
PETER CANTINE, Jur

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*Orders calling out the Militia of Ulster and Orange counties.*

[Miscel. Pap. 37: 699.]

Brigade Orders, March 31st 1777:

The Honorable the Convention of the State of New York Having by their resolve of the twenty fifth Instant Authorized & required Brigadier General George Clinton to call into Actual Service all or any part or Proportion of the Militia as well horse as foot of the Counties of West Chester, Dutchess, Ulster & Orange for the Defence of the Posts & passes of the Highlands and frustrating the attempts of the Enemy to make incursions into this State and it Being at a meeting of the field officers of the Militia of the Counties of Ulster & Orange, Ordered that one third part of the Militia of said Counties ought Immediately called into Actual Service for which Purpose it is Ordered that the Colonels of the respective Regiments by ballot or any other Equitable manner Immediately detatch the third part of their Regiment under proper officers of each company to consist of sixty two privates as near as may be that the men so to be raised be Divided in three Regiments Commanded by

| | | |
|---|---|---|
| Cols Pawling, | Lt. Colos McClagry, | Majors Logan, |
| Snyder & | Hardenbergh, Junr | Hooghtleling, |
| Heathorn. | Cuyper. | Muffett. |

That Colonel Pawling & Snyder Immediatley march by Detachment the men raised to fort Montgomery that Colonel Heathorn march his Regiment to be raised down to occupy the Post at Sidmans Bridge and observe the orders heretofore given to Colonel Pawling and that to Prevent Partiallyty and that the men may be raised in the most Just & Equitable Manner each Captain upon the faith and honor of an officer shall return to his Colonel a True Estimate of the Quota of his Company to make up the demanded number and that the Colonel upon the same principle & in the same manner make a return of the same number of men delivered to them & that each of the Companies of Horse do turn out their Quota of men to be raised out the militia.

*Resolved* That it is the opinion of this Meeting that this State is Presently Invaded.

*Resolved* 2dly Therefore that the Exempts be Included in the third part of the Militia to be raised as above.

(Copy) This By order of
General GEORGE CLINTON.

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PHILADELPHIA, March 26th 1777.

IN CONGRESS, March 21st 1777.

*Resolved* that for preventing unnecessary Expence where the Militia of any of the States is called to serve in the Pay of the United States no more officers shall be entitled to pay than a proper number in proportion to the Privates Vizt. for every company consisting of not less than thirty six and under fifty privates, two commissioned officers; for every company not less than fifty and under sixty eight Privates three commissioned officers; for every company of sixty eight or more Privates, four commissioned officers; and for every Battallion of five hundred or more Privates, three Field Officers; for every Battalion under five hundred and not less than three hundred privates, a Lieutenant Colonel & Major; & for any number of Privates above one hundred & fifty & under three hundred, a Lieutenant Colonel & Major.

By order of the Congress,

JOHN HANCOCK, *Prest*

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*Affidavit of John More.*

[Miscel. Pap. 37: 361.]

The evidence of John More taken before the Committee of the Precinct of Mamacatting this 31st Day of March 1777.

That on Wednesday last at Major Deckers Samuel Haring came to him to persuade him to joyn in a certain Plot that they intended to put in Execution next Wednesday against the Whigs upon which More replied that he did not choose to act against them for he lived amongst them and they used him well and More asked him how they intended to proceed upon which Harring replied that Joseph Barton was to meet them with 3000 men at Sussex Court-house and the Design is that the men of war was to sail up the North River upon which they expected that the Militia would be called to guard along the North River and that they were to divide themselves into parties the one to come along this way and the other some other way and they expected a party from the Northwards across the Lakes to be joined by the Indians and so all at once fall upon the Country and cut off and destroy what they can.

And further the Deponent saith that Haring told him that there was Recruiting Officers out a Raising all the men they could and for encouragement every man that joyns is to have 100 Acres of Land and that he the said Haring was to have the command of a Capt and that he had raised 28 men; Briant Hammon had 39 men and Francis McGee had 32 men; McGees men all sworn; said Harring likewise said that his brother in law Jacobus brink was one of his Principle men and James McCormick was one of his Serjants; that they were all to go over the mountain to Sussex Courthouse to join Joseph Barton. Said Haring likewise told More that if he did not joyn them they would certainly shoot him.

Attested before me,

BENJAMIN DEPUY, *Chairman.*

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*Report on clearing the Jail of Kingston and removing Prisoners confined therein*

[Miscel Pap. 39: 309, 315.]

Your Committee to whom was recommitted the Report of a Committee to devise ways and means for clearing the Goal in Kingston and removing the prisoners from thence

Do report that there are now twenty nine State prisoners confined in the Goal of Ulster County whose several names and offences are specified on the other page.

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1. That of those Persons Joseph Sheldon, John Savage, James Robinson, Jacob Schureman, Sam[l] Haines, John Van Etten, Joseph Turner, John Cummins, Bloomer Nelson, Samuel Divine & Alexander Crookshanks, stand committed for such crimes & under such circumstances, that your Committee are of Opinion they ought to remain in confinement, that there can be no Inconvenience in continuing a few Prisoners in the present Goal if a proper attention is paid to Cleanliness & a suitable apartment appointed for their reception.

2. That Jacob Scureman, Samuel Haines, Joseph Turner & Bloomer Nelson who are charged with being taken in arms with Lounsberry were examined by your Committee to whom it appears that these prisoners have already been confined in Goal seven months; that they are convinced of their misconduct, penitent for it, and desirous to take the oath of allegiance to this State, and to assert and maintain the Common Cause. Your Committee are therefore of Opinion that on taking such Oath of Allegiance to be administered by either of the Secretaries of Convention they be immediately discharged.

3. That upon considering the case of Malcolm Morrison, the several circumstances in mitigation of the charge; his past Imprisonment, and the earnest Intercession of many Petitioners who are known to be firm and zealous Friends to the Rights & Measures of America; His Contrition and promises of good behaviour, and finally his offer of giving all the proof of sincerity which remains in his power, by taking the Oath of Allegiance to this State. Your Committee from all those Considerations are of opinion that it will be best to discharge the said Malcolm Morrison from his Imprisonment on his taking the Oath of Allegiance in manner aforesaid.

Your Committee further Report that they have also examined Moses Knap who stands committed as a prisoner of War. That he asserts his Resolution to unite in the defence of the Common Cause; laments his past Errors; expresses his aversion to go to the Enemy if it should be permitted and offered and requests that he may be permitted to take the Oath of Allegiance to this State; and your Committee are thereupon of Opinion that on his taking such Oath to be administered by either of the Secretaries of this Convention, he be discharged.

Your Committee further Report that they have considered the case of Samuel Divine sentenced to death by a Court Martial for Treason against the State. That General Clinton as well as the Court Martial before whom he was tried and convicted have recommended him for Pardon.

They have also considered the Case of Jacobus Ousterhout Sentenced by a Court Martial to pay a fine of 40s. and also of Matthew M[c]Kenny Sentenced by the said Court to be whipped 39 Lashes. That your Committee are of Opinion that the delay which has unavoidably been occasioned on the Subject of General Clinton's Enquiries concerning these Sentences has exposed the two last mentioned prisoners to a close confinement which is a punishment adequate in the opinion of your Committee to that which has been denounced against them by the said Court Martial.

Your Committee therefore beg leave to recommend that a full & free Pardon be granted to the said Samuel Divine, Jacobus Ousterhout and Matthew M[c]Kenny respectively of their several Crimes and offences & of the Punishments aforesaid and that they thereupon be discharged upon taking the Oath of Allegiance to this State to be administered as aforesaid.

Your Committee further Report that the remaining Prisoners (to wit) John Finch, William Wing, Thomas Briggs, Daniel Crane, Nathan Sheldon, Enoch Hoag, Jacob Hoogeboom, Daniel Chace, Talman Chace, David Pembrook, John Sax, Frederick Countryman, William Eligh, and William Wood, who are respectively charged with disaffection to the American Cause have also been examined by us, and having severally expressed their attachment to the Common Cause and their desire to take the Oath of Allegiance to the State, and being entitled to the Benefit of the Resolutions of this House passed on the

Your Committee are therefore of opinion that the Oath of Allegiance be by the Secretaries of Convention or one of them administerd to the last named fourteen Prisoners except that Enoch Hoag, Daniel Chace and Talman Chace being of

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the People called Quakers be permitted to affirm, and that they thereupon be discharged.

Your Committee further report that in their opinion it will be advisable to give notice to the Commission appointed by the Convention to enquire into and detect and defeat all conspiracies &c, and to the Committees of the Counties of Dutchess, Albany, Orange, Westchester & Tryon that no Prisoners ought to be sent to the Goal of Ulster County during the session of the Convention at Kingston.

*Resolved* that the Convention agrees with their Committee in the said Report.

*Resolved* that the said prisoners Complying with the direction before mentioned be discharged on paying the Gaoler and turnkey fees and Bill for their Support, where they are of ability to pay the same, and where they are not of such ability that such persons shall nevertheless be discharged & this Convention be answerable to the said Goaler for what may be due to him from them of which the said Committee who made the above Report, or any two or more of them shall judge.

[On the 13 March, 1877, Messrs. Platt, Lawrence and Duane were appointed a Committee to inquire into the circumstances of the prisoners then confined at Kingston. They made a report accordingly on 20 March, which was read and recommitted, and Messrs. Phil. Livingston and Jay were added to the said Committee. Several of those prisoners were pardoned 23 May, 1777.]

List of Prisoners in Ulster County Goal and their Crimes.

| | |
|---|---|
| Joseph Sheldon, | Enlisting men in the Enemys Servis. |
| John Finch, | Notoriously Disaffected to the American Cause, and suspected of being inlisted in the enemys servis or at Least privy to others inlisting. |
| William Wing, | |
| Thomas Briggs, | |
| Daniel Crane, | |
| Nathan Sheldon, | |
| Enoch Hoag, | |
| Jacob Hogeboom, | |
| Daniel Chace, sr | |
| Talman Chace, | |
| William Eligh, | |
| Moses Knapp, | Prisoner of war. |
| John Savage, | Had a warrant from the Enemy to Raise Men. |
| Malcom Morrison, | Treasonable practices against the State. |
| Jemes Robison, | An Emesary from the enemy and has inlisted men. |
| David Pembrook, | Aiding and abetting James Robinson. |
| Jacobus Osterhout, | For neglect of duty as a serjant, sentenced by a Court Martial to pay a fine of 40s. |
| Jacob Scureman, | Taken in arms with Lownsbery (Aug., 1776) [pardoned 23 May, 1777]. |
| Samuel Haines, | |
| Joseph Turner, | |
| Bloomer Nelson, | |
| John Sax, | Committed by Robert Boyd, Junr |
| Frederick Countryman, | Talking Tore. |
| Matthew McKenny, | For insulting his officer, Sentenced by Court martial to receive 39 Lashes. |
| Willm Wood, | Refuseing Continental money. |
| John Cumings, | Dangerous Persons to the Libertys of America & Committed by Convention. |
| Alexander Crookshanks, | |
| Samuel Divine, | Under Sentence of Death by Court Martial. |
| John Van Etten | Committed by the Commiss[a] for repressing the refractory militia at Rynbeck for refusing to take the oath of allegiance to the State. |

(Indorsed.) Report of the Committee appointed to devise Ways and Means of Clearing the Gaol of Kingston & removing the prisoners confined therein.

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*Proceedings of the Courtland Manor Committee.*

[Miscel. Pap. 37: 391.]

CUTLENSMANNER, April 2th 1777.

The prosedings of the day is as follows:

The members of the House:

| | | |
|---|---|---|
| Nathaniel Reynolds, *Chareman*, | Benjamin Smith, | John Rundell, |
| Gilbert Reynolds, *Clarck*, | James Lockwood, | The County. |
| Nathaniel Weeks, | Mikel Halsted, | |

Whereas William Wallace of Salem was taken up upon susption in septemr last an made his Escape and in April 1th 1777 sd Wallace was taken up by a scouting party near the house of Nathaniel Reynolds in Cutlensman Being taken up att ten of the clock in th Night and put under Gard & in about half after Eleven of the o clock sd Wallaee tryd to make his Escape But Being perseived and Brought Back and Brought Before the Comity and Being Examined sd Comity found him Gilty By his one Confession Viz. When sd Wallace was taken up an Being asked his Nam he told them that his Name was Staffard and that He eame from Reding further more when under Examination he told ous that he was Not of the same way of thinking as the friend of the Congrace ware furthermore sd Wallace Rowed on a Brow mare with a Blase in the face and sd Blaze was Coulered Blaek Said Wallace Being asked the question why he altered the mark in the face of the mare and he told ous the mare was well None and he did it that he should Not Be discovered.

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*Petition from Westchester County.*

[Petitions, 33: 710.]

The Petition of the General Committee for the County of Westchester the Sub-Committee of Bedford and Poundridge, April 3rd 1777 hnmbly Sheweth,

That your Petitioners at this Hour labour under the greatest apprehension and Fear of being taken off by the Enemy, who are Night after Night making their Ineursions a very eonsiderable distanee up the Country, They have aetually captivated and taken off Judge Thomas Wm Miller, Gil Budd Horton, and several other warm Friends to our Country. They are eontinually pillageing and plundering all before them, taking away Cattle, Horses and Stock of every kind from the well affeeted Inhabitants of our County and the worthy Friends in General. Never were we more exposed to the Ravages and Depredations of the Enemy than at this present time, whilst we are almost destitute of Troops to protect us. This is a moment loudly calls for Relief which we flatter ourselves lays in the Breasts of your Honble House to grant us. It is but for the want of a few Troops only that the warm advocates for our Cause in this County are compelled to desert their peaceable Habitations and what is more alarming to leave their wives and families exposed to the merciless Ravages of our most Inveterate Foes. If any thing can awaken or demand the attention of your Honble house the present alarming situation in which we now stand, must in a most ample measure; We your humble Petitioners Express our Willingness and Earnest Desire of repelling the efforts exerted by our Enemies to subdue and distress us, but at the same time our Efforts only cannot prove effectual unless your Honble House grants us some Troops to strengthen us which we humbly conceive you will, persons that were but a few days ago in our service and such as were deemed warm and hearty Friends to our Cause are eontinually flying to the Enemy for protections, because we have no Troops amongst us to defend them and their propertys. We absolutely think that the Enemy receives more supplies that pass through this County than from all the other parts of the Continent besides, both as to men & Cattle. The Insurrections of the Tories and disaffected in our County of late are more flagrant than ever which might be easily quelled provided we had some Troops amongst us, from the Idea we can form of the Enemies Ravages of late since our Passes have laid open, we imagine that they have taken off upwards of five hundred Head of Cattle, besides a large Number of Horses, Sheep &c They

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are more audacious and bold than ever since our late Defeat at Wards. If they are permitted to carry on their Ravages in so unrestrained a manner, We your Petitioners must inevitably fall a Prey and as victims into their hands. We your Petitioners earnestly beg your Honb^le House's immediate Compliance with our humble Request, and that your Honb^le House will be pleased to deliver your Resolves and orders respecting this Petition to the Bearer hereof, Capt Elijah Hunter, who was appoin^d by your humble Petitioners to wait upon your Honb^le House with the aforesaid petition.

Signed by Order of Committee,

EDWARD THOMAS, *Secretary.*

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*Nancy Van Alen to Abraham Ten Broeck.*

[Petitions, 33: 698, 702.]

KINDERHOOK, 9 April 1777.

SIR: I am Encouraged by the Known Humanity of your Character to recommend the Inclosed Petition to your Particular attention and to request of you Sir that you will Procure it that Notice which a Multiplicity of Business of more Publick Concern might otherwise Prevent. M^r Van Alens situation is very singular he went away a year ago Publickly from hence to Connecticut from thence to the Missisipy where he has remained ever since, nor has it ever been pretended that he did or Cou'd take any part against the Publick Measures so far from it that he Cou'd have been Informed of the Transactions of the Country but very imperfectly. After his return he was not four & twenty hours at home before he was taken from his famely & friends, whom he had travelled Eight hundred Miles to see, and put into a nausious Jail. I hope Sir the Honourable House will take this Matter into Consideration. If they think he has not been Guilty of Crimes sufficient to Deserve such severity that they will give him such relief as they think right, and I trust Sir you will be so good as to obtain a speedy Consideration of this Matter in the house in which you will for ever oblidge as well his other Friends as his Distressed wife who subscribes herself Sir,

Your Very Humble Servant,

NANCY VAN ALEN.

To the Honourable The President and Members of the Honourable Convention of the State of New York now Convened at Kingston, &^c:

The Petition of John E. Van Alen Humbly Sheweth,

That your Petitioner after a Twelve months absence was in a few hours after his return apprehended, and having been arraigned before a Committee of your Honourable House and by their order conveyed to the County Goal of the County of Albany where he is now Detained a prisoner in close confinement, and for no other Crime than asking time to consider of taking the oath of Allegiance to the State. That your Petitioner, on account of the too great number confined in this apartment, and many other weighty reasons which it may here be needless to tire your Honours patience with a Rehearsal of, finds his confinement so very uncomfortable that he is not without the greatest apprehensions it may prove prejudicial to his health, and cannot fail to give the greatest pain to a feeling mind to see his Family in a place like this and well convinced that your Honourable House wishes not to increase the distresses of those whose hard fortune it is to be detained as prisoners the more as the Honourable Committee before whom he was arraigned gave him the greatest encouragement that his confinement should be made as easy as possible &c. Your Petitioner therefore most humbly begs the Honourable House to take into their wise and serious Consideration his really unhappy situation, and that prompted by Humanity, they may be pleased to direct the Committee of this City to remove him from this place, and order him to be confined either on



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Parole or Reasonable security in some private house, as near home as possible or in the Fort in this City (where a prisoner is now confined) to the end that he may live more comfortable and that his Family may have access to him and your Petitioner as in duty bound shall ever pray. JOHN E. VAN ALEN.

ALBANY GOAL, 1st April, 1777.

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*Petition of Catharine Clopper.*

[Petitions, 33: 474, 744.]

To the Honourable the Convention of the State of New York.

The Petition of Catherine Clopper, of the City of New York, Spinster, now in Kingston, Humbly Sheweth,

That your Petitioners Father Cornelius Clopper about three years ago gave her the Furniture of a Room and two Negro children as her own Property which your Petitioner is ready to prove to the satisfaction of this Honourable House. That the said Furniture and slaves were brought into this County & Dutchess County where they now remain. That your Petitioner is informd that certain person under the authority of this Convention are proceeding to the sale of the said Furniture. Your Petitioner therefore humbly prays that the Honourable Convention will be pleased to give orders to the said Commissioners to desist from the sale of the said Furniture & Slaves & to leave your Petitioner in the enjoyment thereof as her own property, and your Petitioner shall ever pray &c.

[April 7, 1777.] CATHARINE CLOPPER.

Report on the preceding Petition.

April 9th 1777.

Your Committee to whom was referred the Case & Petition of Catherine Clopper beg Leave to report

1. That according to the Trust reposed in them by this Honorable House they have upon Enquiry released from the Custody of the Commissioners of the County of Ulster, the wine by them seized belonging to Cornelius Clopper.

2. That upon due Enquiry for that Purpose made, the several matters & things in the said Petition mentioned appear to your Committee to be justly and truly the Property of the said Catherine Clopper, at the same time your Committee think it their Duty to report that no full and direct Evidence hath been by them obtained upon that subject altho' they are informed & believe that such Evidence may be obtained from Persons now absent.

3. That the Slaves mentioned in the said Petition whether the Property of the said Catherine Clopper or of any other person appear to your Committee to be absolutely necessary for the comfortable subsistence and accomodation of the said Catherine Clopper and her mother the wife of the said Cornelius Clopper according to their Rank and Situation in Life. It is therefore most humbly submitted whether it would not become the Equity of the honorable the Convention to Resolve that the several matters and Things in the said Petition specified do continue in the Possession of the said Catherine Clopper for her use and not to be sold & disposed of by her untill due Proof of Property therein by her first made.

GOUVR MORRIS,
LEWIS GRAHAM.

*Resolved* that this Convention agrees with their Committee in the said proposed Resolution.

*Ordered* that a Copy of the Petition of Catherine Clopper with the Inventory of her Effects attending the said Petition of the Preceding Report of the Committee & Resolution thereon be transmitted to the Commissioners of Ulster County & to the Commissioners in Albany County.

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*Receipt for Saltpetre.*

[Miscel. Pap. 37: 730.]

WALKILL, April 9th 1777.

This is to Certify that James Webster & Company have delivered to me 1084½ lbs of good Salt Peter Manufactured by them since the 1st Day of Jany last at Goshen.

HENRY WISNER, Junr

---

*Warrant for the Arrest of John Munro.*

[Miscel. Pap. 37: 717.]

SIR: You will take into your costody and deliver to the Convention at Kingston or their order John Munro Esqr. By Order,

ALBANY, 10th April 1777.

To Lieut ROBERT GREY.

JOHN BARCLAY, *Chairman.*

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*Peter S. Curtenius to Abraham Ten Broeck.*

[Miscel. Pap. 37: 719.]

WALL KILL April 10th 1777.

SIR: I have purchased 1096 wooden canteens which I expect will be here by Saturday. Should be glad to know by the bearer Mr Warner whether I must forward them to Esopus or to the Store Keeper at Fishkill & whether they are Included in the bounty articles or whether they must be paid for by the soldiers.

Inclosed is a return of Cloathing Recd from Mr Henry, but I cant tell how many will be wanting untill I know how many Mr Harper has delivered out & how many Mr Newkerk sent to Albany.

I am with respect Sr Your most Obt Servt

PETER S. CURTENIUS.

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*Petition of James Webster and others.*

[Miscel. Pap. 37: 727.]

To the Honourable the Convention for the State of New York in Kingston Assembled.

The Humble Memorial of James Webster, David Crane & Uzal Crane of the County of Orange.

We would Humbly beg Leave to Acquaint Your Honors that we have been at a Considerable Expence in Erecting Works and purchasing Utensils for the Purpose of Manufacturing Salt Peter and made a Considerable Progress therein but is Lately verey much Prevented in our work by the frequent Calls on Millitary Duty the Casks &c in our Absence Drying & Leaking and many other Losses too tedious to Enumerate but verey sensibly felt by us.

We would Likewise Humbly Inform Your Honors that to the Efectual prosecution of this buisness five hands is absolutely Necessary for carting, attending the tubs, boiling, &c (ourselves & two other hands) which Number if we cannot Employ Constantly it is verey Likely we shall be forc'd to drop that buisness.

Therefore we would humbly beg your Honors to take the same into your wise Considerations and Grant us such Exemption from Millitary duty as to your Wisdoms shall seem Necessary and your memoralists will Ever pray.

JAMES WEBSTER,
DAVID CRANE,
UZAL CRANE.

GOSHEN, ORANGE COUNTY, April ye 10th, 1777.

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*Evidence of John Lasly taken 11th Day of April, 1777, before the Committee of Mamacotting Precinct.*

[Miscel. Pap. 37: 725.]

About the 12th of March last I happened to come to Major Deckers and fonnd Abraham Smith and John Doty in company and as I was Going away said Smith said he wanted to speak to me Before I went away upon which we went out. Said Smith told me he was afraid of me or Else he would Discover me something of consequence Relateing my Life and family upon which I Replied that he made me uneasy and Inquisitive and that he Need Not fear me for I would not hurt him upon which said Smith answered that me and my familys lives were in Danger if I Did Not move away for Benjamin Barton had Been to Cashikton in the name of Buying flax But that Was Not his Errant But for to see how the tories there Were Affected And that said Barton had enlisted several there and Likewise said Smith told me that there was a party Gone a Cross at the head of the Deleware among the Indians for to purswade them to join and further said Smith that if they Could make any progress among the indians they ware for to Let the company know and they ware for to join for to Kill and Destroy as far as they Could for to try to open a Communication Between them and New York or the Ministerial Army. I Likewise asked said Smith when they intended for to Come to put the plot in Execution upon which he Replyed as soon as it was good traviling in the woods and Likewise he advised Me for to Move My family to Esqr Sannatter for he was Not for to be plundered Nor to be hurt there and they shold be safe there as witness My hand JOHN LASLY.

Sworn Before Me,

PHILIP SWARTWERT, Chearman.

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*Address of the Whigs who have taken Refuge in the State of Connecticut.*

[Miscel. Pap. 38: 673.]

To the Convention of the State of New-York. [April 14, 1777.]

At a Meeting of the Representatives of the Refugees late of the County of Suffolk in the State of New york, now residing in Haddam, East Haddam, Lyme, Saybrook, Killingsworth & Guilford in the State of Connecticut, Being deputed by One Hundred & Seventy Voters of The Refugees above said, to Meet at Saybrook on the 10th day of Aprl 1777 To Prepare an Adress to your Honourable House.

According to Appointment, we the Representatives aforesaid taking into Consideration our unhappy Circumstances on Account of the Difficulties now Subsisting Between Great Britain & these American States. Whereas it has proved our Misfortunes to have our Estates in the Possession of our Unnatural Enemies, yet for the Just Rights of our Liberties & the Love of our Country we have Born our Misfortunes with Chearfullness, Notwithstanding there is many of us & likely to be more, if the present Unhappy Difference Continues, are & will be in want of the Necessaries of Life, and as there is a Number of the Refugees can be of no Service in the Support of our Country's cause, whereby if some Method was pointed out, that they could return, would be of Service to the States in General. Gentlemen we Claim Protection from our own State, Therefore Beg leave to Address our Convention, that some Mode may be pointed out, whereby we may be Represented as Inhabitants of the State of New-york, & as the Usual Time for the Choice of Delegates is at Hand, Beg that our Embassador may be discharg'd with the Utmost Dispatch, with such Instructions Pointing out the Method whereby we may be Represented, and the Maner of Relief for the poor & Distressed Refugees as our Honourable Convention shall Direct. By order of the Meeting.

OBADIAH JOHNES, *Moderator.*

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*Petition of Solomon Comes.*

[Petitions, 33: 458.]

To The Honb^le Councel of Safety For the State of New York.

The Request of Solomon Comes, Humbly Request,

That your Honer would consider me Being in a bad State of Health and am wiling to comply to most any Terms that you would sink Best for me Either to take the oaths For to Be Free to the States of Ameaca or to give good Bail and to be Bound to my Farm, But would rather take the oaths and Go Home and Do my Duty, For to Give you Good Sadefackson that I have ben a Good Frend to my Country from the Beginning, but I have ben advised away by wicked men but son I see my ere and if your Honer would be please to Grant me that Great Privelige that I have ingoid I will be a Frend to my Country and will Frely Fight for it when there come a occason For it if your Honer be pleas to Set me Free as Sun as you Can it will be better for my Famely and myself and I hope you would see it would be beter For my Country to Now Gentleman I beg that you would Take a Letel Notis what I Right to you For this that I Right to you I can say with a Clear Concons be Four the Great almity God this From your Frend and well wiser

SOLOMON COMES.

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*Petition of Abel Noble and Peter Townsend.*

[Petitions, 33: 716.]

To the Honorable Convention at Kingston in the County of Ulster and State of New York.

The Humble Petition of Able Noble and Peter Townsand owners of sterling Iron ancor and Steel works. Your Petitioners Humbly Sheweth,

That whereas your Petitioners have been at Great Expense in Errecting the Iron ancor and Steel works at Sterling aforesaid, and have the last year Improved them chiefly in furnishing the Contenental Army with Iron ancors and Steel and are under Contract with M^r Hughs Dep^t Quartermaster which we have not yet half Compleated from the want of hands to push on the Business as our hands many of them have absconded owing chiefly as we suppose from the weakness of their minds in not believing that its Reasonable men of so low fortunes as the most of them are should be Called away with the Millitia so frequently to Defend as they Immagine the Rich people of the Country, and upon such weak principles great part of them last fawl, winter and this present Spring have left the said works and those that still remain there and we believe Dont mean to hurt the American Cause and are Inclined to remain and follow their Business, but as they say they are threatened to be Drove of from the Works by some of the Millitia Officers as they report to us are therefore very much Discouraged and Cant follow their Business with any sattisfaction, and whereas the said M^r Hughs has lately made proposals for a much larger Quantity of Iron and Steel than we heretofore have Contracted with him for, and as we are very willing to undertake to supply M^r Hughs with all the Iron and Steel we can make Excepting what the farmer shall want for their use (who ought to be supplied) as they say and more Especially as it is for the use of the Continental Service, but dare not undertake the same Except our workmen can be protected and Excused from the Militia Service, therefore Humbly pray that the Honorable Convention will be pleased to take the same under their Delibered Consideration and order such protection as may Enable your Petitioners to fulfill their Engagements above mentioned and your Petitioners as in duty bound shall ever pray.

ABEL NOBLE,
PETER TOWNSEND.

STERLING WORKS, in Orange County, 12 April 1777.

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A List of men to Enable the Carrying on the Sterling Furnace Forge Ancory and Steel works is as follows, viz:

for the Furnace.

| | |
|---|---|
| 20 Men, Wood Cutters,<br>4 Master Colers, Each 4 Men—is<br>3 Men for Raising Oar, 2 Men for Carting ditto,<br>7 Men Carters for Hauling Coles,<br>2 Men for Stocking Coles, 1 Bancksman,<br>2 Men Burning Oar, 2 Mine Pounders,<br>2 Fillers of furnace, 2 Founders,<br>1 Gutter man, 1 Black Smith, 1 Carpenter,<br>1 Manager, 1 Clark, | 68 Men |

for Forge and Ancory.

| | |
|---|---|
| 20 Men for Cutting wood,<br>3 Master Colers, Each 4 Men,<br>5 Men Carters for Hauling Coles,<br>2 Stocker of Coles,<br>10 Men for makeing Iron in five fires,<br>10 Men for makeing Anchors, three fires,<br>1 Carpenter, 1 Black Smith,<br>1 Manager, 1 Clark, | 65 Men |

for Steel works & forge.

| | |
|---|---|
| 15 Men for Cutting wood,<br>3 Master Colers, Each 4 Men,<br>4 Men Carters for Bringing the Coles,<br>1 Stocker of Coles, 1 Man to Cart Pigs,<br>6 Men for making Steel, in three fires,<br>4 Men for makeing iron in two fires,<br>1 Carpenter, 1 Black Smith,<br>1 Man to manage the Bussiness, | 49 Men |
| | 182 |

April 14th 1777.

ABEL NOBLE,
PETER TOWNSEND.

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*Memorial of Major Pawling.*

[Petitions, 33: 554.]

To the Honorable the Convention of the State of New York.

The Memorial of Albert Pawling Major of one of the sixteen additional Regiments ordered to be raised by the Honorable the Congress for the Service of the United States of America and Officered by his Excellency General Washington Humbly Sheweth,

That as well your Memorialist as the officers of four Companies in one of the said Regiments are Members of this State, as will appear from the inclosed List. That most of them are persons who have fled from the City of New York or Long Island leaving their all behind them rather than desert the cause of liberty and their Country by falling into the hands of the Enemy, and all of them (one or two subalterns excepted) have served as officers appointed by this State in the Service of the United States of America and tho' with some Degree of Military Reputation as will appear by the Recommendations given them to the Committee of Arrangement by the General officers under whom they more immediately served, yet they were (from unavoidable necessity as your Memorialist believes) unprovided for in the five Regi-

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ments assigned to this State to raise. Your Memorialist further begs leave to premise that the officers of the said sixteen Regiments are not confined to any particular State to recruit the same, notwithstanding which it has been the policy of the States of Connecticut and Massachusets Bay to grant their respective State Bounties as well to Recruits (wheresoever inlisted) for those Regiments as for the Artillery where the Recruiting officers only are Members belonging to either of those States, by means whereof they furnish officers and this State men for those chores, and besides the honour of apparently furnishing a large Proportion of men for the War, at the close of it from the well known attachment that men generally have to the officers they will acquire by this stroke of policy whole Regiments of new subjects at the Expence of this and other of the States. Your Memorialist however means not by this reasoning to ask a Bounty or any Extra Encouragement for the Recruits of his officers and as he wishes so he will exert himself to raise as many in other States as he possibly can, for which purpose his recruiting officers have proper directions. But your Memorialist cant help humbly thinking that a late Resolve of this Honourable House giving an Exemption to such of the Militia from being drafted in the service as shall furnish or enlist men for either of the five Regiments of this State only bears extremely hard on his officers and will greatly retard if not totally prevent their filling their Companies except the same Resolve shall be extended to them. Your Memorialist therefore from a Desire of promoting the Interest of the State of which he has the Honor of being a Member and of promoting the recruiting service at large, by having his officers put on an equal footing with others of the same State, has thought it his Duty to lay the state of Facts contained in the above Memorial before this Honorable House with the fullest confidence (arising from the high opinion he entertains of their wisdom and Justice) that the said Resolution will be extended equally to the above four Companies as to the other Troops now raising in this State. And your Memorialist as in duty bound shall ever pray &c &c ALBERT PAWLING.

KINGSTON, 14th April 1777.

A List of the Officers of the four Companies alluded to in the above Memorial.

| | |
|---|---|
| Capts Nathaniel Tom, | Lieuts Wood, |
| Black, | Lawrence, |
| John Watkins, | Neely, |
| Santford. | Munnell, |
| | Drake, |
| | Oliver, |
| | Robert, |
| | Rodman. |

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*Petition of Isaac Davis.*

[Petitions, 33 : 742.]

To the Honorable Convention of the State of New York.

The Petition of Isaac Davis most Humble Sheweth,

That your Petitioner Inhabitant of Shandakan have been Inlisted Under Elias Hasbrook as a Sarjt In a Company of Raingers & have served my time Faithfully till about Eight or ten Days before the Company was Discharged by the Convention I went home with his Consent and not Returned by Reason of the necessity I was put to at home. Now having Demanded my Pay from him which is Due to me from the first Day of February last, to the time before mentioned, which he Refused to pay and on Enquiry I find he has not Drawn Pay for me as he has done for the Rest of the Company which have served no Longer then I Did, But Returned me as having gone on Furlow and never Returned. I hope the Honorable Convention will take the matter Into Considaration & Justice be Done to your Faithfull subject are the Prayer of ISAAC DAVIS, Jr

April 16th 1777.

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*Certificate of Teunis Sleght.*

[Miscel. Pap. 39: 401.]

To the Honorable the Convention of the State of New York.

I Teunis Sleght of Kingston do hereby certify and return That on the days for that purpose hereinafter mentioned I delivered copies of the Resolutions of the Honorable Convention passed on the 27th of March for discharging sundry companies of Rangers to the respective officers hereafter named viz^t^

To Cap^t^ John A. Bradt at Schenectady on the first of April Ins^t^ to Capt. Christian Geetman & his Lieut^t^ Jacob Sammons April 3^d^ at Steen Arabia.

To Lieutenant Laurence Gross first Lieut^t^ of the Company whereof John Winn had been Captain, at Canejohary on the said 3^d^ day of April—& that I could not with certainty hear where the said John Winn then was—the said Gross then having the Command of that Company.

That I delivered another copy of the said Resolutions as directed to Cap^t^ Marcus De Mott on the 4th of April at Canejohary af^d^

That I delivered another Copy as directed to Cap^t^ Isaac Moss near Skeensborough on the 8th day of April Instant, And another Copy to Cap^t^ Joshua Conckey at Newperth district in Charlotte County on the 9th day of April aforesaid.

That I procured to be delivered the remaining Copy as directed to Lieu^t^ Gideon Squire at his House at a place called Granville on the 10th day of April—That the last mentioned copy was served by one John Gibson—That a receipt for each copy of the said Resolutions agreable to the directions given to the Bearer by the Secretary of the Hono^ble^ Convention is herewith returned: & that the copy for Cap^t^ Baldwin he delivered to Ab. Yates Esq^r^ who directed it to be served on Baldwins Lieu^t^ by Mat. Vischer Esq^r^—That on the 8th day of April I delivered the packett directed to the Chairman of the Committee of Charlotte County at his house where they were next day in the Bearers presence delivered to the clerk of the Committee then assembled at Colo William's House and TEUNIS SLEGHT.

[April 16, 1777.]

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*Proceedings regarding Tories.*

[Miscel. Pap. 37: 693.]

At a meeting of the Committee of Safety & Observation of town of Kingston in the County of Ulster on the Ninth day of April 1777

*Present:* The Majority of the Members.

Whereas Cornelius Newkerk & William M^c^Darmoth of Wagh Konk in said County appearing before the Committee of Kingston by virtue of an order of the Sub Committee of said Committee charged with Treasonable Discourses betwixt the said Newkirk & M^c^Dermoth and James Atwater and Daniel Wilson of Dutchess County on the fifth Day of April this Instant the Purport of said Discourse being Delivered under the hands of said Atwater and Wilson in writing to the Sub Committee and the Sub Committee laid the same before the Committee of Kingston for their Consideration and Judgement in the Premises. The information in writing from Atwater & Wilson signed with their Names underwritten is as follows Viz^t^ on Saturday the 5th Day of April about 3 miles from Kingston on Woodstock Road we met William Doud and stopped and give him to understand we were in Trouble and wanted a place where to flee. he said he and we were both of one mind and he wished that he was with the Regulars then and said we must take Care of Philip Miller, Peter Short and Jeremiah Snyder, Tobias Wynkoop and Christian Meyer for they were strong Wigs but we might go to John Rows or Helmer Rows under the Blue Mountain or to Zachariah Snyder for he carried the tories last february in the night to John Croft and that we might go to Gysbert Vanattes. we called there. he told us that he was a friend to the Kings forces and further said that Peter Winne told him That there was two of the horses that the tories last february had taken Helmes Rows and one at Johannis Tromboor and we might be safe at frederick Rows in Shandaken for they were good Kings men but desired us to take care

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of Philip Miller, Peter Short, William Snyder and some others but Zachariah Snyder we might put Trust in for he was a good Kings man and then we left him and went to John Crofts. neither he or his wife were at home but his Daughter said that The Company was there. Then we went to Cornelius Newkirks who said he was a man for the King and his boys had got guns and every thing ready To join them further said he could hardly keep them from going To the Regulars but expected them in about Eight Days nearer when his boys meant Join them one of the boys being Present consenting To what his father said and then we went with Lieut Snyder to Helmes Rows. there we found one horse and slay & Jacobus Row Informed us that John Peter Row, Peter Weaver was there 3 or 4 Days and Left that slay and horse there and there came another slay with three men in it Peter & Caltus Heffer & Englishmen unknown to him then. Proceeded to Christian Fiero Jun^r where other circumstances is as well known To you Gentlemen as to us.

Signed by
JAMES ATWATER,
DANIEL WILSON.

The Committee ordered the said two Newkirks, M^cDermoth and Vanatten to appear before the Committee seperately and was seperately Examined by the Committee Respecting the Premises. the said two Newkerks, M^cDarmoth & Vanatten in a great measure Denied the Charge. the Committee Relying on the Charge of said Atwater & Williams ordered one of the Newkerks Jacobus Newkerk in confinement and concerning the other three the Committee determined and adjudged that if the said Cornelius Newkerk, William M^cDarmoth & Gysbert Van Etten wood take an oath to swear to be faithfull subjects of the State of New York and renounce all Allegiance to the King of Great Brtian which the said Newkerk, McDarmoth and Vanatten voluntarily took the Oath. the Oath is Verbatim as follows viz^t

I the Subscriber Do most solemnly swear that I Renounce all allegiance to the King of Great Britian that I will be a good and true Subject to the State of New York that I will to the utmost of my Power defend the said State against the Enemies thereof and that I will Discover all Plots & Conspiracies against it which may come to my knowledge and Pray God Almighty so to keep me as I do faithfully and sincerely keep this Oath and Declaration.

After taken this Oath the above mentioned Van Etten, M^cDarmoth & Newkerk subscribed their names seperately under said Oath and then Discharged them on paying the Cost & Expenses accrued in apprehending them.

Whereas Cornelius Newkerk and William M^cDarmoth in their Journey home in the Night being Afraid to ride through The Creek called at the house of M^r Joseph Ousterhoudt about 4 mile out of town and asked M^r Osterhoudt whether they could Lodge there? M^r Ousterhoudt Consented to Lodge them and after Their being a Little time in the house M^r Osterhoudt told them they could go to bed and Lit them to bed in an upper Room. Before the said Newkerk & M^cDarmoth went up M^rs Elizabeth Yeomans lying in bed unknown to Newkerk & M^cDarmoth and Drew the Curtains of the bed Close Together so that she could not be seen by Newkerk & M^cDarmoth. After M^r Osterhoudt Left the Room the said M^cDarmoth & Newkerk when Laid Down supposing themselves Alone in the room began to talk About The Transaction of the Day before the Committee; being at the time overheard of Mrs Elizabeth Yeomans begun according to her Information as follows (to wit)

First Newkerk said they take us to be good Whigs but my heart is the same as before, then M^cDarmoth said so is mine but we now have taken the oath it is well, Newkerk said they read the Oath to me several times but I have taken Care that I should not hear it for I stopt my ears with wool. M^cDarmoth asked Newkerk where he got the wool, Newkerk answered I Brought it from Home as I Expect it that they should offer the Oath to me, M^cDarmoth said I Did not think so far when the Oath was offered To Me I asked what Oath I was to swear, they told me to be True To the Country and I Could do that and free my Conscience for it is our Country where we was born but the King is the Ruler of the Country. And one of them



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said to the other Dont talk so Loud if we should be heard it would be worse for us than Ever. Newkerk asked McDarmoth if he Did not think that they Could Force them to bring home their Arms, McDarmoth said No, but McDarmoth said I will keep an account so as one Did he mentioned his name but Mrs Yeomans Did not understand who they Named but he kept an account of Every Day that he was Confined and of Every meal of Victuals and so you must Do and Gysbert also If he will that we be allowed for it. Newkerk I would do it but I cannot Write but if my son Jacobus was Out of Goal he could Do it but I Expect he shall not Come out before he Takes the Oath. Then they talked About hanging a man; that would be the right way then they shall hare by and by how they shall Climb. Then Newkerk said it was Not true that was said of Me that he said he wished that the Regulars would Come here, that I should said that I Did not know what to Do with my son. Newkerk said he taught That if he would Give them money that they would not go and I would Not be willing to give them money for if it was to be Run against Them that he would always be sorry afterwards they must do there Own mind and farther said not. In the Morning when Mrs Yeoman Got up Early and reported the Discourse that was betwixt McDarmoth & Newkerk in the Night to Mr Osterhoudt, Mr Osterhoudt immediately went to Capt Silvester Salisbury and acquainted him thereof and immediately Capt Salisbury Apprehended them and brought them to Town and the Committee Immediately called and met on the tenth Instant and heard the Information of Mrs Yeomans and ordered the said Newkerk and McDarmoth to Appear.

The Committee acquainted them of the Charge Against them; they heard the Charge and Confessed Every word that Mrs Yeomans said.

The Committee Considered the Charge and adjudged that the said Newkerk and McDarmoth should be Confined and Report the matter to the Commissioners Appointed by the Convention of this State of New York to Detect all Treasons, Conspiracies, &c., against the said State of New York.

The Committee pray the honorable the Convention of the State of New York to send this report to the Commissioners to Detect treasons & Conspiracies or take such order therein as to the honorable Convention shall seem meet touching the three prisoners (to wit) Cornelius Newkerk, William McDarmoth & Jacobus Newkerk, mentioned in this report.

By order of the Committee,

JOHN DUMONT,

*Chairman of the Committee of Kingston.*

Major Henry Wisner's account of the capture of Thirteen Tories.

[Miscel. Pap. 39: 378.]

Major Henry Wisner, who arrived with prisoners from Orange County was caled in and says

On last Tuesday evening he returned from Town meeting.

That about 2 oClock on Wednesday morning heard of two men going thro' a pass—called two Capts—proceeded by a Highway—overtook one—& afterwards the others—overtook 17 men & next day sent them to Goshen Goal—That they were going to the Enemy—that they had procured a pilot—That one says he was to be a Lieut—That they acknowledged they were going away—That he has bro't thirteen prisoners here—chiefly from Newbury—acknowledged that they were going off—

[April 9, 1777.]

Affidavits of Saml. Smith, William Benedict, Major Henry Wisner, and others.

[Miscel. Pap. 39: 449.]

Saml Smith being duly sworn says Robt Denton told him that he was going to the Enemy, & that he had tryed twice to go before but had failed; but swore he would go now—& that if his Horse would do for a Light Horse he would inlist in the Light Horse for he had always been a loyal subject to King George & would serve him that John Fluining said repeatedly that he was determined to go to N. York to join the Enemy.

SAMUEL SMITH.

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William Wisner being sworn says—That he heard John Fluining ask Major Wisner whether he was going to New York—upon being answered in the affermative he told Major Wisner that he himself was going there & had procured a Pilot & that they would go together & that he had twelve more men to join him – that he heard Fluining say he lately had a Conference with Coll. Beardley that Coll. Beardley broke off the Conversation with saying he did not care to stay any longer for fear People would mistrust them & that he said he believed Coll. Beardley was as good a subject as any in the Country & as the deponent understood meaning subject of the King of Great Britain—the Deponent further saith that he heard Robert Denton say he had attempted to go to New York last Winter—but was determined to go now. WILLIAM WISNER.

Lieu$^{t}$ Henry Dobbin being duly sworn Says—on Wednesday Last he met with John Fluining & his Son in the mountains a Little North of Stoten Berg who asked him Dobbin whether he was a loyal subject to King George & was going to New York upon being answered by Dobbin in the affirmative, he told Dobbin that he was also going to New York then & would furnish him with a Pilot which Pilot Fluining produced & also told him there were twelve more true Subjects to the King going with him & directed him where they were—and the Deponent further saith that he heard Robert Denton say he was going to New York & to the best of his Remembrance to join the New Recruits. HENRY DOBBIN.

William Benedict being duly Sworn Saith—that John Fluining asked Major Wisner whether he was a true subject & wanted to see New York, upon being answered by Major Wisner in the affirmative Fluining said I am the Man will go with you. I have been waiting here ever since Last Monday—the Deponent further saith that he heard Robert Denton Say he had attempted to go to New York once before but had Failed but said he would go now at the Risque of his life—that Denton advised them in case they should meet the Continental Light Horse to form and fire on them—That John Fluining said that if he could go home for three days he could get one hundred or one hundred & fifty men to Join the Kings Troops from New Burgh.

Major Henry Wisner of Warwick in Orange County informed this Committee that Sometime last week gained intelligence of a Party of Tories going down to join the Enemy upon which he raised a party of Men and went in quest of them, that a little north of Stoten Berg he fell in with John Fluining and his Son, and on pretence of being on the same Errand himself & his party, drew a confession from Fluining that he & a number of others were then on there way to New York with a Pilot & that Fluining led him with his party to the place of Rendevous—Where he seized the said Fluining & twelve others belonging to this State, viz$^{t}$ James Fluining, Elnathan Foster, David Wiot, Solomon Combs, Benjamin Smith, Stephen Wood, John Moffit, Benjamin Derby, Timothy Wood, Robert Denton, James Causman and Amos Ireland; and also four others belonging to the State of New Jersey viz$^{t}$ Micajah Waggoner, Coonrod Sly, Ebenezer Ellis & — Van Anden.
HENRY WISNER.

Examination of Elnathan Foster and others.

[Miscel. Pap. 37: 705.]

Elnathan Foster of Newburgh being examined says: That he is not & never was an enemy to his Country. that in the two months late Service he sent a man in his stead and paid him 16 Dollars. That on this last alarm he applied to the Lieutenant and requested leave to remain at home as he wanted Health and could not get any person to hire. That the Lieut desired him to meet him next Day at the wharfe which he did but the Lieut had not yet rec$^{d}$ orders. That he returned home and next morn$^{g}$ about 9 oClock a guard was sent for him. That Colo Hasbrouck on the parole of himself & others permitted them to go home and return next day to be tryed by a Court Martial. That when he return'd next day the Court Martiall

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was not assembled. That the Colonel & officers present insisted on a Bond of twenty pounds for his appearance on the next Wednesday. That if he refused to give the bond he understood he was to be put under guard. That he intended to go to South Hampton the place of his nativity. That four neighbours Viz$^{t}$ Benjamin Derby, Benj Smith, David Wyat & went with him. that they went to Waganer to obtain him for a Guide because they had heard that he had piloted a Company. That he was informed by Major Wisner that one of the young men Viz Robert Denton was to have been a Lieu$^{t}$ but the young man denies it.

Amos Ireland says that he set off from Home to go to an Uncles on Long Island. That Major Wisner took him with the two persons named Wood. that he overtook them between the mountain. That he did not enquire of them where they were going & does not know where they were going. That he was acquainted with them before. That he thot they were going to Long Island. That he was discharged by his officer because he was a cripple having had a tree fall across his Leggs. That Wood told him the Exam$^{t}$ that he was going to So Side of Long Island to see his Relations. that he the Exam$^{t}$ did not tell any person before he set off where he was going to. That he is a native of Newburgh & has parents there. That he does not know the name of the place where his Uncle dwels & never was there.

John Flewelling says that when taken he was returning home with his son from Charlottenburgh Furnace. That he never did Join the Enemy and has been always obedient to the Commands of his officers of which they will testify. That he knew of no other man going from home but Solomon Combs, Robt Denton, his son & self. that he met a man on the road who is said to be a pilot to pilot people to New York. That soon after he met Maj$^{r}$ Wisner & the men with them who enquired of the man he met. that he did offer to pilot them to New York. That Combs & Rob$^{t}$ Denton intended to go to Long Island as Denton informed him. That he the Examinant married a wife on Long Island & has also Relations there.

Robert Denton says that he knows John Flewelling who was now shown to him. That Flewelling set out to go & went into New Jersey and he the Examinant set out to go to New York. That he went about seven miles farther than Flewelling and was returning home when he was apprehended. That what he has done he did by the persuasion of other persons who have been to New York. That James Leonard had been to New York & told the depon$^{t}$ that if he would not come in by the first of May he would suffer as they would put all to the sword who did not come in. That said Leonard told him that Cap$^{t}$ Campbell had sent for him & desired he should come down & he should have an Ensign or a Lieut$^{s}$ Commission. That his Brother also sent for him to come down or it would be worse for him. That he saw Flewelling the night before he set off. that he said he was going to the Iron Works. That Leonard directed him to one Van Orden for a Guide to take him to New York. That he knows Benj Smith. That he told Flewelling that he was going away and that he had the offer of such Commission. That Van Orden refused to undertake to pilot him. That Leonard told him of some young men from that neighborhood who had enlisted in the King's service. That his elder Brother belongs to Campbell & as the Examinant supposes is a private. That he heard of Leonard and also Taylor. that a person at Catts Kill had been enlisting for the Kings Army. that he knows Amos Ireland & the Woods. that he knew they were going down to Long Island as he was told. That on last Sunday night a week Woods wife told him so. That Taylor directed him to go to one Woods & enquire for newfoundland & go by Wagonen who is said to be able to direct the way to get into New York. That his Brother sent him word that Campbell's Company lay at Kings Bridge. That when he met Major Wisner & others he understood from them they were going to New York. He determined to go with them & went with them untill they overtook the others. That he saw Wood who lives on the road from Warrick to newfoundland. that his name is either John or Jonathan as he the Examinant believes.

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James Gosman says he lives in Newburgh that he does not know the crime with which he stands charged, being informed thereof says he was born on Long Island & never meant to Join the Enemy. That he has a Broy[r] in the American Service & was going to him with some cloathing & to get a little salt. That he had not any pass. The Guard who apprehended him took his horse saddle & watch & about 30s. of money, which 22s. was in silver.

Benj. Smith says he was Lieut. of the Militia till about two month ago he resigned it to Colo. Jonathan Hasbrouck. He declares he will declare the Truth and the whole Truth, That he acknowledges it was a fault that he was going below. That he has not seen his Brother in Law but once since he went to New York which is about two months ago to the best of his knowledge. That he does not know how Long his Brother in Law was at home. That he came up to buy horses and went back to Wallkill for that purpose and did buy Horses. That the last time he was up which is now lately he sent word by a man that it was best for him to come to New York. That he thinks he received the Message by his wife. That John Moffat, Elanthan Foster & David Wyat went from home with him. That he was going to New York with intent to go to his relations near Hempstead take up a writing for his personal Effects there & tarry there untill the Troubles were over. That one Waggoner was to have been their Pilot. That he is now in Goshen Goal. That they were taken up by Major Wisner before they sett off with their pilot. That they had not made any Bargain with the Pilot. That the Pilot told them that he was returned home from N. York within half an hour.

Solomon Combs says he was persuaded by Stephen Pine & Jonathan Pine to go to New York. That they told him it would be better for him. That he did not intend to enlist with the Enemy, it was not his Determination to be a soldier. That he intended to go to his Uncle on Long Island. That it was last fall when he saw the Pines. That he thinks the Pines are at New York.

James Fluelling says that his Father persuaded him to go with him to Charlottenburgh Furnace, that his father went there on his return, said he could not get employment. That when they returned they met the Gentlemen who said they were going to New York, he said he would go with them.

A List of the Scout that went with Mager Wisner.

[Miscel. Pap. 39: 63.]

| | | |
|---|---|---|
| Mager Wisner, | Samuel Ketcham, | Richard Masters, |
| Capt. Minthorn, | Isac Headley, | Henry Bartoloph, |
| Capt. Miller, | James Burt, | Cornelos Demerest, |
| Lieut. Vance, | Jacob Demerist, | Peter Bogert, |
| Lieut. Finn, | Mathew McColleny, | Henry Bogert, |
| Lieut. Dobbins, | Peter Demeree, | peter Faust, |
| Lieut. Holt, | Samuel Demeree, | Samuel Smith, |
| Insign Jewel, | Patrick Thompson, | Mathew Terrel, Sergt., |
| Nathan Gray, Sergt., | Eliphelet Richards, | William Miller, |
| William Benedict, Sergt., | Garrit Reed, | Jacobas Lance, |
| Benjamin Whitney, Sergt., | Philip Buris, | Jacob Wandle, |
| Thomas becos, | Josha Carpenter, | David Demerist, |
| Joel Cross, | Daniel Sayre, | William Wisner, |
| William Curry, | Philip Ketchem, | John Clarke, Sergt. |
| Philip Carter, | Hoel Ketcham, | |

April 2[nd] to 3[d]

April 5, 1777, to 6[th] being 2 Days.

| | | |
|---|---|---|
| Major Wisner, | Joseph McKane, Sargt., | Joseph paterson, |
| Lieut. Dobbins, | Daniel Burt, | James parshal, |
| Insign hallak, | Patrick Thompson, | William Wisner, |

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Mathew Farrel, Sargt., Eliphelet Richards, Joseph Curry,
Zepheniah Kelly, Sargt., Philip Ketcham, Benjamin Curry,
William Benedict, Sargt., Samuel Ketcham, Henry McHorter,
Benjamin Whitney, Sargt., Richard Masters, Joshua Carpenter.
John Clarke, Sargt.,

April the 7, 1777. Then Began our March.

A List of The Men that Garded the prisners from Goshen to Esopus.

Mager Wisner, Richard Masters, Samuel Seely,
Lieut. Ketcham, Joshua Carpenter, Daniel Gilbert,
Lieut. Dobbin, Samuel Smith, Peter Bogert,
William Benedict, Sergt., philip Ketcham, Henry Bertoloph.
William Wisner,

That the Within Pay Role as by You Subscribed to, contains a just and true act of the names and number of a party under your command for the purpose of apprehending and conveying the within prisoners from Warwick Mountains to Kings Town and that the said men have been In actual service the time herein set forth.

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## *Petitions of Tories.*

[Miscel. Pap. 39: 218, 241.]

To the onabel Cogress of Newyork For this State.

We Humbel Pertisoners Beging to take Nottis of us in our Deplobel Sitavation we have Sin against god yet we beg that god is good and grases and we hope that we will Find the Same hart of pitte From you as a Father to his children we humbel Pertisoners Do beg of this onabel gentilman of this State that they would See it Fit upon Sum Resabel Considerration to Let us Return to our Respecttive Famelis for we understand that they are Deprivd of their Susstainuns that they had to Susstain them and we Luk upon it a Indespenabel Duty as god has Been Pleas to Besto them upon us as god is good and Grases to For Give trespasses we hope that thou art of the Same Temper and Fraim of mind to Forgive your Fellor Creaturs.

Solomon Comes, John Flewwelling, David Wyatt,
Abraham Smith, James Flewwelling, John Mufnd,
Stephen Wood, Begemin Darby, Robart Denton.
Bengemin Smith, Eleson Foster,

[Petitions, 33: 248, 286.]

Onabel Gentelmen: We the subscribers Do pertisson to your oner gentleman we Desire of your onner for our Triel and Then If Found gilte we are willing to be Left to your marcy this we desire Sun gentelman if you please,

Beniamin Smith, James Flewwelling, Elnathan Foster,
John Mufed, Stephen Wood, David Wyatt.
John Flewwelling,

To the Honourable Convention.

We Humble Perttisoners we beg that you would take Notis of we poor Prisners in our wofull condition, and we are sorry that we have a offened God and you, and we pray you to forgive this one Folt sence we ment to harm no man and if we have Don amis we Beg Forgiveness From God and you, and we hope that we would Find marcy at your hands and we beg that you would porgect sum way that we might be sot at our Liberty to go to our Families, For they are in Distress and we beg by the help of God. Not to offend you again. This we beg For god Sake.

Solomon Comes, John Flewwelling, Beniamen Smith,
Robert Denton, Abraham Smith, Stephen Wood,
David Wyatt, Begemen Smith, James Flewwelling.
John Mufad, Elnathan Foster,

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[Miscel. Pap. 37: 371, 373, 375; 39: 218.]

Gentlemen Congress there is three harty men in prison and we are willing to Enter in the service for the space of three years if we have did a rong we ar willing to make a meanes if we have been cept in darkness we are willing to be inlighted we see we have did rong and we are sorry for it and will du better For time to Come, and we are willing to Enter in the sarvas and be good Faithfull solgurs and to make amens as Fur as we are abel For ours mis behavor and will prove Fithfull a ceerging to our oaths and will Discover all we no.

SOLOMON COMES,
ROBERT DENTON,
JAMES COSMAN.

April the 14 1777.

Onabel Gentelman: I have taken this optunity wonce more to Beg your Favour For our Relief For if we have not come under obgation strong anuf we are willing so to Do we have sworn to be Try to our Country and am assolvd so to Stand for the Liberty of the meaaca. Gentleman I hope we No the Searcumstance of a oath Better then to take that heavy oath and then to Fly From it and to ondu our soles. Gentelman we are willing to Come under any olagation that you pleas to Lay on to injoy our home once more. If we have Rong our Contry we are willing to make ameands and will obay our orders and will Fight for our Libity, if sum have Did bad we cannot help it, if we Dont git releaf sun we shall suffer For we are poor and out of money and Credit. Gentelman I beg then you would Concider my Curcumstant in a short time or Else I must suffer hear the oaths we cook will be Tru to the end. This From

SOLOMON COMES,
ROBART DENTON.

April 17, 1777. Permitted to enlist in Col. Van Schaick's or Gansevoort's regements, provided no more than one enlist in same Company, Jour. I. 886.

The Examination of Solomon Combs Born on Long Island at present an inhabitant of Newburgh.

He says he had been down to Staughtenburg Furnice with an Intent to gitt employment there but did not engage. that when he went from home his Intent was to go to Long Island but was discouraged from attempting to gett there. that Steven Pine and John Nathan Pine of Newburgh did advise the examinant to go to Long Island. that one James Leonard and Morris Flueling had been to Long Island or New York and that said Leonard has been since at Newburgh. that he had seen a Letter from Flueling to his wife. the Letter was dated at Albany in which he said he expected to be at home by the first of May. that he did not know Leonards business when at Newburgh Last. that the examinant was taken prisoner at one Wagoner near New found Land on his return home. that he heard that Wagoner had been Down to New York with a number of men & had Just returned.

The Examination of Robert Denton, April 16th 1777.

He says he set out from home to go to Kings Bridge. that he had a brother there. that one James Leonard who he saw about a month ago Told him that if he did not Come in by the first Day of May he would be Likely to suffer as it was Determined that no Quarters would be given after that time. that their Regular Army was 100 000 strong. that 50,000 more wer expected to be here by the middle of April.

The Examination of James Cosman born on Long Island and Inhabitant of Newburgh. he says he had a brother in our service with General Washington. that he was going down to Carry some shirts for his Brother.

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[Miscel. Pap. 36: 560, 564, 566, 645, 646.]

To the Convention.

GENTLEMEN: I wright to let you now that I am in a weary Pore State of health at this Present and I have word that my wife lays at the Pint of Deth and I am very sorry for what I have Done and I am willin to Doe jest what you Ples to Say.

ELNATHAN FOSTER.

To the Honorabel Convenshion of this Staet.

Your Humbel Petechenor Begs leave to return your honors mane thanks for the Lebaty of lucking a place to move my family two. I have found a Plas at new Molborow about 12 mils from my hous. I humblie beg leaf of this Honrabel Board to move my famaly and what I have left me and to live with mi famly to tri to serport them and mi slef aither apon Bail or Security and I father promis to Be a true subjict to this State.

So I Remain your fraind and well wish our

KINGSTON. ELNATHAN FOSTER.

Warrant against Elnathan Foster.

SIR: Agreeable to a Request R[d] from the Committee of this precinct to me directed, You are hereby ordered to Command a sufficient Guard to take the Body of Elnathan Foster and him safely convey to Kingston Goal Fourth with whereof fail not this from s[r] your to serve, JONATHAN HASBROUCK, *Col.*

N.B.—By an order of Committee you are to Command Umphrey Merritt to take Elnathan Foster from whence he brought him, &c. J. HAS[K]

On Publick Service. To Cap[t] Stephen Case; at his Absince, To his next Commanding Officer.

Letter of the Committee of Safety.

GENTLEMEN: When the Warrent from Col. Haasbrook for returning Elnathan Foster to the Goal in the Town against an express Resolution of the Council of Safety & unaccompanied by any reasons which might excuse that proceeding, was laid before them, they issued orders for your attending the Board to answer for a measure so derogatory to their authority.

The Council have since rec[d] a letter from Mr. Belknapp assigning the Reasons for the Return of Foster, with which they are satisfied, & therefore direct me to inform you that your attendance on the Board is dispensed with.

This Council in the Discharge of the trust reposed in them will on all occasions pay due Respect to the Sentiments of the Inhabitants of your district & will readily gratify their inclinations in such instances as may not in the opinion of the Council be consistant with the General good of this and the other United States.

I am Gentlemen your Humble serv[t]

Dr Letter to the Committee of probably New Burgh District as to Elnathan Foster.

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*Petition of the Committee of Kingston.*

[Mil. Commit. 25: 827.]

To the Honourable the Convention of the State of New York.

The Humble petition of the Committee of Safety & observation of the town of Kingston.

Whereas the town of Kingston is so Commodiously situated in the State of new York for the Southern and Northern Troops to pass Through to the Respective departments of the North & South that it Occasions and Creates a great Trouble and variety of Business for the Committee of Kingston to transact more then the Committee is able to go through with (to Witts)

1[st] To provide Waggons for Baggage & Sick to forward.

2[d] Having no Hospitall to send the sick in belonging to the army when they come

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in town are under a Necessity to Burden the Inhabitants therewith of which we have Sundry Complaints before us Now and know no way to help ourselves, or the sick, or the Complainants—

3d The billiting of Soldiers on the Inhabitants—having no barracks to send them in.

4th No store of provisions were the soldiers can draw provisions, the Burthen of which comes on the Inhabitants of this town, of which they are tired.

5th No power to impress Waggons to forward the sick & Baggage of the Army on their Routs coming & going to the Respective departments of North & South.

The Committee therefore Humbly pray the Honourable Convention to take this our petition into their serious consideration and order by Resolve such relief to this Committee of Kingston & the Inhabitants thereof as in their Wisdom shall seem meet. And this Committee shall ever pray.

By Order of the Committee,

JOHN DUMONT, *Chairman.*

[Miscel. Pap. 36: 645.]

Captain Schoonmakers Company of Sapaancater and Leegloopers Ball players Yeth serves the End at Present to guard the fleet Prison under the Directions of the Honbl Peter P. Van Zandt, G. Livingston, &c Committee of the said Prison or Wardens of the same.

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*Petition of Elizabeth Haight.*

[Petitions, 33: 706.]

To the Honble Convention of the State of New York.

The Petition of Elizabeth Haight of Fishkill but formerly of New York Humbly Sheweth

That your Petitioners mother Elizabeth Bend having a parcell of Goods to the amount of abt six or seven hundred pounds value and the Commissrs appointed by this Honble House have taken the same in Charge as the property of Mr Grave Bend in New York. Your petitioner will make oath that the Goods are the property of her mother Elizabeth Bend who will declare the same whenever this Honble House think fitt. Your Petitioner therefore prays to aptain a permitt to sell the same and to redeem the Goods out of the hands of the Commissrs as the Commissrs having directed your Petitioner to apply to this Honble House for the above permitt as it was out of their department to take the oath of your Petioner or her mother. Your Petitioner beggs this Honble House will take the same in Consideration and Grant her such relieff as this Honble House shall think fit and your Petitioner as in Duty Bound shall ever pray.

ELIZABETH HAIGHT.

KINGSTON 17th April 1777.

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*Petition of Matthew Goes and Dirck Gardenier.*

[Petitions, 33: 662.]

To the Honl the Representatives of New York in Convention.

The Petition of Matthew Goes Junr and Derck Gardinier, Humbly Sheweth

That your Petitioners have been deprived of their Liberty ever since the 9th Day of October last, part of the time in Close Confinement and the remainder upon their parole of Honor. That their Families have greatly suffered and their Farms been reduced to a Ruinous Condition on account of their absence. While at the same Time that they have been deprived of improving and Reaping the Benefit of their Estates they have been put to very great additional Expence so that as their Disbursements have been geater their Income has been less. Your Honours are too well acquainted with the Neature of a Farmers business & the necessity of his personal Presence to require any further arguments to point it out Especially at this season



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& in the present well known scarcity of Labourers. That your petitioners have not During their Imprisonment tho' now six months been made acquainted with their Crime, but whatever it may be they hope your honours as Guardians of the Publick will find out a method by which the State may be secured from any Danger Real or supposed, and by which the petitioners may not be Restrained from taking Care of their Farms. The Rather as the Community in their Humble opinion is interested in the labours of Individuals & the Improvement of Husbandry. Your petitioners cannot but suggest to the Honorable House that Numbers of those who were sent from Albany with them were ordered to the New England States from whence they have returned Either by Permission of the authority there or in consequence of the late notice of the Commissioners at Fish Kill, and are now at Home while we are still obliged to undergo a painfull and Expensive absence from our Families and yet that your petitioners were kept at Fishkill and the rest sent to New England was not as they conceive owing to any Extraordinary Degree of Malignity charged against them. But whatever offence it may be supposed your petitioners have Committed they hope all things considered that it is not of so Enormous a Nature but that it may be Expiated by the Confinement they have already undergone, and whatever suspicions may have been entertained of any Dangerous Designs being harboured by them they hope will be Removed by a consideration of their strict observance of their Parole and Conformity to the Regulations prescribed for them, and that from these considerations the Honourable House will be of opinion that they may safely be Trusted to go home subject to the Restrictions which by them shall be Imposed, which they now most Humbly pray.

MATTHEW GOES, Jun^r
HURLEY the 18^th Day of April 1777. DIRCK GARDENIER.

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*Petition of Stephen Wood.*

[Petitions, 33: 724.]

Re Quest of the onabel Congress I understand that there is a act pass By the onabel Congress that two men is to turn out one for the file for our Libty of the meaaca and I sink I have Did according to the act I have Turn out my Son with a Free ond Good will but I am still kept in prison with I sink I Did according to the act I Beg that the onabel Congress wood Consider my case, my son had his horse taken from him with I sink it is a Reasinabal that my son horse shuld be Returned to him again onabel Congress I desier that your wood Consider me as sun as posabel the Request to the onabel Congress from STEPHEN WOOD.

read & committed April 18^th 1777.

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*Petition of Captains Hobby, Horton and Steenrod.*

[Petitions, 33: 714.]

SOPAS, April y^e 18^th Day, 1777.

GENTELMEN: We your Humble petisioners think our selves much a grieved in many instances and we Begg the favour of your Honours to take it into Consideration and form a way whereby we may Have Satisfaction.

In the first plase gentelmen we your Humble petisioners Recieved warants for inlisting men from this Bord for the Contanental servis whereupon we joined Corn^ls McDogle & Ritzemas Regments and served the Contry faithfuly untill the first of January last and are Home now three months Pay due for ourselves and Companys and our poor Soldiers Complaind to us for there pay and thought they was used ill, whereupon we advansed mony to them some there Hall and some part of there pay and when we aplid to the pay master for the mony He says that He should Not pay any men that Did not Crose the River and that he would Not pay any mony to us that we had advansed, many of our men was then sick in the Con-

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try some wounded and many Lost there Cloathes in the Batel at the plaines, poor felows Had not so much as shoes to there feet and scarcly cloaths to there Backs and the wether Extream Cold and they stayd and Did Duty 2 or three weeks on the East side of the River therefore we think it very Hard that those poor Soldiers should be Deprived of there pay and we think it Hard that we are Not allowd to Draw the mony for our men as we formerly Did for it is very Hard that those poor men should Be at the Expence of traveling forty miles for there pay therefore gentelmen we pray you woud come into some method whereby we may be prevented any further trouble so we subscribe ourselves

Your Humble petisioners,

DAVID HOBBY,
JONATHAN HORTON, } *Capt*
COR[s] STEENROD,

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*Court Martial on Simon Mabee.*

[Miscel. Pap. 37: 383 387.]

Proceedings of a General Court Martial held by order of the Honourable Brigadier General McDougall, April 11th 1777.

Col. Phillip Van Cortlandt, President.

| | | |
|---|---|---|
| Col. Hooker, | Capt. Pearcy, | Capt. Sheppard, |
| Lt. Col. Wiessenfells, | Capt. Wright, | Capt. Bray, |
| Lt. Col. Renier, | Capt. Smith, | Capt. Johnson, |
| Capt. Riker, | Capt. Titus, | Capt. Camp. |

Capt. Ben. Walker, Judge Advocate.

Simon Mabee was brought before the Court and Charged with being Employed by the Enemy as a Spy & for Enlisting men into their Service. The Prisoner on his Arraignment Plead Not Guilty.

Abraham Van Wert being sworn deposeth that he had the Command of a Scout about the 1st April that he went to the House of one John Hunt near the White Plains, that suspecting some Tories were there they surrounded the House & the Evidence went in with three Men to search, that they found a Man hid betwene a Feather & a Straw Bed. The Evidence does not know the man but thinks his name was Fredk Phillipse, that they searched him & found about some Oranges, Tea & some Buckles. They then searched farther & in a back room found the Prisoner, brought him out searched him & found about him a silver Dollar and some Paper money. The Evidence then sent Alex. Fagen and another man to search the room where they found the Prisoner, that Fagen brought out Fifteen Dollars in Silver, a Warrent & Certificate.

The Warrant & Certificate being produced in Court are in the following words Viz.:

Whereas his Excellancy Sir William Howe Commander in Chief &c. &c. &c. has issued orders to Augment his Corps of Guides and Axmen under the Command of Major Holland Surveyor General of the Northern Destrict of North America. This is therefore to certify that Simon Mabee is authorized and Empowered by me to engage Men for the said Service at the allowence of one shilling sterling p Day and their Provision Gratis to be discharged if desirous at the Expiration of the ensuing or next campaign.

New York, March 30th 1777. SAMUEL HOLLAND.

I do hereby Certify that Simon Mabie of the Malitia of the City of New York has in my presence voluntarily taken an oath to bear Faith & true allegiance to his Majesty King George the third and to defend to the utmost of his Power his

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sacred Person, Crown & Government against all persons whatsoever. Given under my hand at New York this 29th Day of March in the seventeenth year of his Majestys Reign Anno Don 1777.

D. MATHEWS,
*Mayor of the City of New York.*

The Evidence cannot possitively swear that the Warrent now produced in Court is the same but is certain it was nearly in the same words the Certificate produced the Evidence thinks it is the same that Fagen brought out—the Evidence thinks the Prisoner appeared to be frightened when he was taken—the Evidence knows Hunt at whose house the Prisoner was taken & says he bore the Character of a Tory.

Alex. Fagen being sworn says that he was ordered to go into the House to search that he found the Prisoner in a back room where they put their Meat, that he brought him out and gave him in Costody of the Guard, that he was ordered back to search the room which he did & found some hard money hid under a soap barrell and in a barrel betwene two pieces of Pork he found some Papers he did not read them but gave them to Abraham Van Wert who Commanded the Party. That Ab. Van Wert having Dropped some of the Money the Prisoner told him there was Fifteen Dollars & two Shillings. The Evidence says he knew the Prisoner before & his name is Simon Mabee. The Prisoner asking the Evidence if the money was not counted in his the Prisoners presence, the Evidence says it was. The Prisoner in his Defence absolutely denies knowing anything of the Papers that were found & says that there is a Simon Mabee who lived in Dutchess County and has been gone from home some time, that himself is a Labouring Man, that he worked last summer on Long Island, that he had money due him and went there for it & returned two or three days before he was taken and was then on his way to his Fathers near Croton Bridge, that he has never taken up arms against the Country, that the reason of his hiding in the back room was because he was afraid of being taken up for having been on Long Island.

Mary Putnam being sworn says she is Sister to the Prisoner that she has a Nephew named Simon Mabee who has been missing near a year, she does not know where he is, that the Prisoner has no wife or family.

The Court having Considered the Evidence for and against the Prisoner, are of opinion That the Prisoner is Guilty of being Employed by the Enemy for the purpose of Inlisting Men into their Service & Consequently of being a Spy and therefore do sentence him to be hanged by the Neck untill he is Dead.

PHILLIP CORTLANDT, *Pres*t

BEN. WALKER, Judge Advocate.

HEAD QUARTERS, PEEKSKILL, April 14th 1777.

GENTLEMEN: I have the honor to inclose you the sentence of a General Court Martial held at this Post on Simon Mabee by virtue of your late Resolution. The Prisoner confessed to me his having taken protection and that he knew the printed certificate from the Mayor copied in the proceedings. But denied his having seen the Warrant before I produced it to him and yet does not admit the former on his Trial.

When he was brought before me he had great appearance of Guilt in his countenance, which is a faithfull Index to the Heart. He is a man of some cunning from his deportment and I have no doubt in my own mind of his being the man mentioned in the Warrant. This is handed to you by Express, whatever your determanation may be I wish to be favoured with it as soon as possible, He will wait a day for it. There are several small Houses in the Mountains which serve as rendevous and hiding places for the recruits & spies of the Enemy. The Safety of the Community in my opinion requires the Families to be removed and the Houses to be destroyed. The Barn of the Chairman of the Sub Committee for this Quarter was set on fire at night three days ago, from the time and circumstances of it I am per

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swaded it was done by some Enemy to the Country. I wish to be possessed of all the resolutions which inflict Death on the subjects of this State passed by its Representatives. I have the Honor to be Gentlemen,

Your humble Servant,

ALEX. McDOUGAL.

The Honorable Convention.

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*Proceedings of a General Court Martial on John Williams and others.*

[Miscel. Pap. 39: 2.]

At a General Court Martial held by order of the Hon^ble^ Brigadier General McDougall—Peeks Kill, April 13, 1777.

Col. Phillip Cortland, President.

| | |
|---|---|
| Col. Hooker, | Capt. Smith, |
| Lt. Col. Weissenfells, | Capt. Sheppard, |
| Lt. Col. Regnier, | Capt. Bray, |
| Capt. Riker, | Capt. Titus, |
| Capt. Pearcy, | Capt. Camp, |
| Capt. Wright, | Capt. Johnson. |
| | Capt. Benj. Walker, Judge Advocate. |

John Williams was brought before the court and charged with holding a treachorous Correspondence with the Enemy and Enlisting Men into their Service.

The Prisoner on his arraignment pleads Not Guilty.

Nicholas Outhouse being sworn, says—that in a conversation he had with the prisoner about three Weeks ago, the Prisoner told him he should have Inlisted some Men if it had not been fur David Gage who sometimes encouraged them to go to the Enemy and at other times discouraged them, that he believed if he had taken the pains to go to Cattsburgh he should have got some that if he had got some Men & carried them down he believed he should have got a Lieutenants Commission the Evidence understood he meant the Enemy—but cannot swear that the Prisoner ever did inlist any Men for the Enemy or offer to inlist any.

On being Cross Examined the Evidence says he did not think the Prisoner was in earnest and that the last time he was at the Prisoner's he told him he would have nothing to do with it for the Country was undone go which way it would.

Israel Outhouse being Sworn, says he knows the Prisoner, that as he passed along the Road about half a Mile from the Prisoner's he came out of a House and asked the Evidence what mind he was of then, the Evidence answered of the same Mind he had been all along that Opinions were so different he could not tell which way it would go, the Prisoner then asked the Evidence if he would go down with him, saying "if any of you intend to go it is high time you went for by & by the Regulars will be on their March & then it will be too late." the Evidence understood he meant to New York. The Prisoner at same time told the Evidence that if he did go down and carry a parcell of Men he expected to get a Lieutenants Commission, the Evidence never heard the Prisoner say positively he was going but has heard the Conklins say that the Prisoner talked of going & has heard his Father say the same.

Christian House being sworn says,—he lives within a Mile of the Prisoner, that on Saturday about three Weeks ago the Day before the Shipping came up the River in a Conversation he had with Hermanus Krum, he told the Evidence that if he did Inlist in any Service he would Inlist in the right cause, that our people were not in the right cause & at same time desired the Evidence to meet him at John Williams the Prisoner & they would both Inlist in one Company under him, that on the Tuesday following he met the Prisoner in the Woods—that the Prisoner asked him to Inlist under him to go to the Enemy told him he should have the same Bounty our Men had Twenty dollars, a Suit of Cloaths and 100 acres of Land and offered

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the Evidence Five Silver Dollars in part which the Evidence saw—that he told the Prisoner he could not Inlist then as he was going to Haverstraw to get some money due him from Capt. Hutchins—The Prisoner then called out Tory on which six Men started up out of the Woods three of whom had Guns. The Prisoner again urged the Evidence to Inlist telling him the Country would soon be overrun by the Enemy but he Still told him he could not Inlist then & went off & did not see the Prisoner any more—the Evidence says that he saw Job Babcock inlist with the Prisoner in the woods a little way from the Prisoners House & saw him receive Five Silver Dollars, that Krum told him the Prisoner was to be Captain in the Enemy's Service if he could raise a Company & get to York & that John Brush told him that he had Inlisted with the Prisoner to go to York & that Captains Jacob Krum & Sam[l] Gray had also inlisted with him. The Evidence further says that the Prisoner shewed him a Paper with writing on it which he said was his Enlisting Roll. The Evidence thinks there was many Names on it but cannot positively say as he cannot read.

Being Cross Examined — Says that Babcok was inlisted before the Prisoner asked the Evidence in the Woods.

Question by the Prisoner — Whether the Evidence saw him put down Babcocks name when he inlisted him.

The Evidence says he saw him take Pen & Ink & put something down on the paper but cannot say what as he cannot read.

The Prisoner in his Defence says that the Testimony of House is entirely False. that he never had any Conversation with him on any subject whatever. that as to writing Babcocks Name he never wrote in his life nor could he ever know one written Letter from another. that as to what the other Evidences said it was all Romance. he never meant to do anything against the Country in his Life. that he never has been down to the Kings Forces or they to him in his life nor has he ever asked for Orders to Inlist nor has any been offered him. that he Supposes the suspicions against him arose from his having a son about twenty years old who was inveigled away without his knowledge or consent. that he was extremely uneasy about his son & threatened to have the Men taken up. that he supposes the reason of House's Swearing against him is because House had a quarrel with Hermanus Krum & threatened to have him in the Guard House.

Called upon Corn[s] Cooper, John Cooper, W[m] James, Thomas Concklin, Richard Osborn & Jacob Parker who all live near the Prisoner. Say he always bore a good Character, that he has been frequently on Guard with them & they always took him to be a Friend to his Country.

The Court having considered the Evidence for & against the Prisoner are of Opinion he is guilty of the Charge & do therefore Sentence him to be hanged by the Neck till he is Dead.

Job Babcock brought before the Court & charged with holding a treacherous Correspondence with the Enemy & having Inlisted into their Service.

The Prisoner on his Arraignment Pleads Not Guilty.

Christian House being Sworn says he has known the Prisoner Five or Six Years. that he was present when he Inlisted with John Williams to go to the Enemy — he saw the Prisoner receive Five dollars of Williams as part of the Bounty. Williams told the Prisoner he should have Twenty Dollars a new Suit of Cloaths & 100 acres of Land, that the five Dollars he then gave him was part of the Bounty & that when he got to York he should receive the rest & all his Cloathing — The Evidence says he saw Williams Write something on a piece of Paper. he supposed he put down Babcock's Name but does not know as he cannot read.

Being Cross Examined — Says that it was in the Woods near John Williams' about Ten or Eleven o Clock in the morning the Sunday the Shipping came up the River. that about an hour after he saw the Shipping under sail going by Haverstraw Bay. Says also that he is past Seventeen years of Age. that he has been in the Service Nine Months. that he has given Evidence in a Court before & well knows the Nature of an Oath.

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The Prisoner in his Defence says he was in the Service last Summer under Co[l] Clinton. That he left the Service the day before New Year. has been sick part of the Winter & agreed to work with Capt Leonard at the forrest of Dean Furnace for the Continent. worked with him two or three Days & was taken up — he says the Testimony of Chris House is entirely False. that he has heard he was once convicted of Perjury before Justice Clemens.

Nich[s] Outhouse being Sworn says he heard Clemens say that Chris House had to his knowledge been forsworn — being Cross Examined, says Chris House & his Father have differed very much with Clemens, that he thinks Clemens is not a peacable Man.

Moses Clemens being called & Sworn says he knows Chris House Jun[r] that he does not know of his ever having taken an Oath. that he is a man of an Infamous Character. thinks he would not scruple swearing away the life of any man if he had provocation — Says that he once heard that House offered to Swear that he had Stole a Hog.

The Prisoner called Corn[s] Cooper, John Cooper, W[m] James, Rich[d] Osborn, Tho[s] Babcock who say they lived near the Prisoner. he always bore a good Character, turned out with the Militia & they always looked upon him as a Friend to his Country.

The Court having Considered the Evidence for and against the Prisoner are of Opinion he is Guilty of having Inlisted in the Service of the Enemy and do therefore sentence him to be hanged by the Neck till he is Dead.

Tuesday April 15.

Thomas Barker was brought before the Court & charged with repairing to the Enemys Ensign Standard inviting others to do the same pointing out the Houses of the good People of the State desiring the Enemy to burn them & for other treacherous Correspondence with the Enemy.

The Prisoner on his Arraignment Pleads Not Guilty.

Peter Marvery being Sworn says he saw the Prisoner in Town on Monday about Noon when the enemy were in possession of the Town. that he was at liberty walking about the streets in Company with one Ab Kronck who told the Evidence he was Guide for the Enemy — the Evidence further says that he asked the Prisoner to go across the Lots home for fear of being taken on board the Vessels. the Prisoner answered if he was not their Enemy what should he be afraid of.

Henry Brown being Sworn says he saw the Prisoner in Town Monday about one or two Clock. that he was then under Guard of the Enemy going down Town.

The Prisoner in his Defence says that he came from home on Monday morning to fetch a piece of Cloth he had Weaving at Cap. Kroncks, that on the Road he was taken by some Men of Warrs Men, carried Prisoner to one of the Enemies Colonels by whom he was examined & ordered to return home & stay there which he accordingly did till he was taken up by Col. Livingston.

The Court having Considered the Evidence for & against the Prisoner, Do aquit him of the Charge.

Friday, April 18, 1777.

Lt. Col. Weissenfells being indisposed & Capt. Bray being on Command Cap[ts] Hallet & Pelton were sworn in their room.

Anthony Hill was brought before the Court & charged with holding a treacherous Correspondence with the Enemy & being employed by them for the purpose of inlisting Men into their Service.

The Prisoner on his Arraignment pleads not Guilty.

Lieut. Gabriel Requaw being Sworn says that he lives about two Mile back of Tarry Town, that about a Week ago as he working by his House he saw two Men crossing the Lotts, that suspecting them he went into the House, took his Gun and followed them into the Woods, on haling them one Ran away, the Prisoner Stop'd

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when he came up with him he asked him where he came from. The Prisoner answered from Kingsbridge, he then took him to his fathers & there searched him in presence of his Brother—found about him Six Dollars & one Shilling in Silver & Some Coppers & two Silver Spoons, also a Warrant tore in Pieces, the same now produced.

N.B.—The Warrant was produced in Court & appears to have been a Warrant impowering to raise Men to Augment the New York Companies under Major Grant to be inlisted for two years or during the present Rebellion &c.—signed by Major Grant & directed to Anth—— several pieces being lost. The Prisoner told the Evidence he took the Warrant to get out of York & on the Evidences asking him why he did not deliver himself up, the Prisoner answered he took advice of the Man who was with him & whose Name he said was Manuel Litlebeck.

Joseph Requaw being sworn says that he was at his Fathers when his Brother brought in the Prisoner, that he asked him where he came from. He answered from Long Island to New York & from thence. Said also that he belongs to Capt. Cains Comp$^{y}$ in the Enemys service—that he had been in their Service four Months —on asking if he had any letters he answered no—but on the Evidences offering to search him he pulld out of his pocket a Warrant the same as now produced tore in pieces. The Evidence asked him how he came to get that Warrant. He said he took it to get out, for he could not get over the Bridge without it, said he took it solely to get out & never intended to go back or act in Consequence of it—the Evidence then asked him why he did not deliver himself up to the first Guard, the prisoner answered he knew of no Guard—he also said that he had put the Warrant under a stone intending to leave it but that the Man who was with him persuaded him to take it with him. The Prisoner further said the other had a Warrant also & had a Night or two before carried down Twenty three Men—the Prisoner told him he came from Kingsbridge the 10 April about half an hour before Sun set—he was taken the 11$^{th}$ April.

The Prisoner in his Defence says that he was Drafted last Fall in Col. Swartwouts Reg$^{t}$, went to Kingsbridge with them, came home & was returning to join the Reg$^{t}$ when he met one Edw. Palmer who lived in Cortlandts manor who told him if he went back he would be Flogged & advised him to go to Long Island with him. With some perswasion he went with Palmer to Cowneck & worked there with one Henry Sands—when he first went on the Island he was persuaded to inlist with the Enemy but was not called on to Join his Company till about three weeks ago when he was ordered to Join them at Fort Washington, which he did. The Company was then commanded by Cap$^{t}$ Cain who receivd orders from Major Grant to procure some men acquainted in Dutchess County to go out recruiting—& as Manuel Litlebeck had a night or two before brought in Twenty three Men he was again pitched upon to go & as the Prisoner lived in Dutchess County he agreed to come with him. Accordingly a warrant was given each of them—The Prisoner says he took the Warrant merely to get clear & never intended to return—Litlebeck proposed their travelling in the Night to prevent being taken up to which the Prisoner objected saying he was not afraid of being taken. They therefore slept that night & set off next Morning. On the Way the Prisoner took the Warrant & put it under a Stone intending to leave it but that Litlebeck took it up again & told him to put it in his Pocket threatening him to tell the Officers when he returned—the Prisoner accordingly put it in his pocket & proceeded—in Crossing the fields he saw the Evidence Lt. Requaw running after them who when he came within about Thirty Rods called to them to Stop on which the Prisoner stopped but Litlebeck ran away—Lt. Requaw carried him to a House & on the way he took out the Warrant and tore it in pieces for fear of its being found on him.

The Court having considered the Evidence & Defence of the Prisoner are of Opinion that he is Guilty of the charge and Do therefore Sentence him to be hanged by the Neck till he is Dead. PHILIP CORTLANDT, *President.*

BEN. WALKER, Judge Advocate.

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*Deputy Quartermaster-General Hughes to General Scott.*

[Miscel. Pap. 38: 639.]

FISHKILL 19th April 1777.

SIR: Being order'd by his Excellency General Washington to remove the Stores belonging to the Q. M. General's Department, both here and at Peekskill, to a Place of greater Safety, I have with the approbation of General M'Dougall, sent a considerable Quantity to Morrison's in Fredericksburgh, where I had before fixed a Company of Artificers, at the request of General Knox.

In Consequence of which, I have been led by Duty to explore the Neighbourhood, and find it exceedingly well calculated for far more extensive Purposes than was at first intended, and shall place another Comppany or two of Wheelwrights, Blacksmiths, Nailors, &c, there. All which, with a Guard which I was ordered to apply for, and have obtain'd calls for an issuing Store, which is also granted.—These Circumstances, as well as a continual Demand for the Stores in different quarters, require a Number of Teams to be constantly stationed at that Post, and, of Course, a proper Place to keep, and recruit them and others that may be sent, occasionally, there.—For which Purpose, there is none so well adapted, as the Farm lately possessed by Beverly Robison Jur both on account of its size and Situation, it being very near all our Works and Stores.

The Commissioners being there Yesterday, I open'd the affair to them, at least, to two of them, Capt. Sheldon & Doct. Van Wyck, who appeared to have no objection, but that they had given one Dyckman from Philipsborough an Expectation of it. I told them, that as it was of so much Consequence to the Service, I tho't private Interest ought to give way to the Publick, and that I should apply to the Honble Convention, concerning it, which I now mean to do, thro' the Medium of your and Mr Jay's Interest, if he be present, and beg you will communicate the affair to the House in such a Manner as will be most agreeable to them and yourself, Sir.—I must beg Leave to observe that there are always a great Number of Horses & Oxen that with a little recruiting now and then, would stand the Campaign; but for want of it, in Time, are rendered entirely useless.

The Locality and Extensiveness of that Place, render it the most suitable of any in those Parts by far.

There is a Person who understands something of Farriery & Cattle in General could be fixd under the Eye of an Asst. Q. M. General, for the Post, and many valuable, useful Creatures preserv'd from Ruin; and the Teams so conveniently accommodated as to be ready at the Shortest Notice and under the Protection of the Guard, in some Measure, at the same time.

Govern'd entirely by these Considerations, I tho't it my indispensable Duty for the Good of the Service to make this Application, and have not the least Doubt of its Success, as it cant be suppos'd but that the Continent can afford to pay as much for it as an Individual, if such a paltry Consideration should be bro't into Competition, which I know it will not.

I am, with Great Regard, Sir, your most obedient
& very Humble Servt

The Honble General SCOTT. HUGH HUGHES, *D.Q.M.G.*

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*Order for the arrest of Abraham Smith.*

[Miscel. Pap. 37: 367.]

To ELICAM BROWN, Serjant:

You are hereby comanded to take four privates with you and take Abraham Smith into your Costody and convey him safely to Kingston and Deliver him togather with the Papers to the Honble Provential Congress at Kingston. Hereof fail not. Given from under my hand this 19th Day of April, 1777.

ABRAHAM CUDDEBACK, *Capt*n



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*Major Goetschius to the Convention.*

[Miscel. Pap. 37: 323.]

BERGEN COUNTY, April 19, 1777.

GENTLEMEN OF THE NEW YORK CONVENTION: There has been in your confinement one Stephen Rider taken on suspicion of conveying Horses to the Enemies lines. Since he was your Prisoner your Honors know upon what conditions he was put to Liberty. This is sent in purpose to inform the worthy Convention that said man is still yet a friend to the ministerial army which I can prove by this and other Instances: Last week the third man out Bergen County Malitia by Generals orders was called to fill his lot to be one of the number which he absolutely refused to march without any apology. I write this to the New York Convention because he is or has been your Prisoner.

I remain with submission your Honors Most Obedient Servant,

JOHN MAURITIUS GOETSCHIUS, *Major*, Bergen County
At present at Shawangonk, Ulster County.

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*Confession of Isack Louw.*

[Translated from the Dutch.]

A stranger coming to me asked me for a Tavern. I answered, Yes. He said he was a Cripple, which also I observed myself. Recollected that I could not leave the house the next day so remained until the evening, when I asked him for a pass. I said it was dangerous to forward any one without. Thereupon he showed me a pass, which I thought good according to my knowledge, but he did not disclose that he wished to assume my name for the time. So he said he would prefer traveling in the evening rather than by day. Having given my promise to put him forward we prepared to set out on the journey, & asked him if a pass was immediately necessary, to make one. He answered he can have a pass at any time he required one. Meanwhile I found that his own name was not known to me, but he admitted that he was called Quackenbos. The pass gave him the name of Yacobusbee. When I proposed to bring him a horse he seemed afraid that I should not convey him far enough. He requested me to convey him some miles of the Sopes which I refused. Thereupon he answered, how shall I get along for I cannot run. Bring me to my horse, where the horse should be. I suspected he was from York, so in order not to have any more trouble with him, I agreed to take him to Yan Freer. So said so done, but he knew no news to tell me. He said to me that the Committee man did not know any that was not published. So I said to my brother, he is, may be, sent out with a commission to find out people and then to complain of them. But having gone so far, I took him over to Yan Freer, and the discourse we had there was not of much importance. It was mostly the same that he said to me before; wherever he happened to come to, he remained there. But being a stranger to the people, he could not tell their names. So went along without much conversation. Now, I had also understood that he was an Officer; I understood from him that he was a lieutenant. But it was all uncertainty with me, for I had nothing but his word, for he really was a stranger to me. Now, regarding his message he said he went to bring some folk and take them through to York but no certain number; however no less than thirty he thought had passed Yan Freer's. I do not know precisely, but I have heard that from him. Furthermore another man has been at my house who did not give his name. He said that he was on the road going to one Lackwoert, and after that I heard that he had returned and was seen on the road going about. But I do not know who had seen him. ISACK LOUW.

The Confession of Isack Low at the New Paltz this 19th Day of Aprill, 1777, at the house of Mrs. Ann Du Bois.

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*Affidavits respecting Counterfeiters.*

[Miscel. Pap. 37: 463, 465, 467, 469, 471.]

Ulster County ss.

Benjamin Lyon of full age being duly sworn on the Holy Evangelist of Almighty God deposeth and saith that he had heard that false Counterfeit Money was Circulating in West Chester County & Connecticut. that he had been informed that a certain Jane Crawford residing at or near the Line dividing the State of New York and Connecticut that the deponenth had Business there and was informed that the said Jane Crawford had sold a pair of oxen and this deponenth took the liberty to ask the said Jane Crawford to see the Money which she had received for the said oxen but she informed this deponenth that she had already parted with the same. that her daughter Ester Crawford went and produced a Considerable quantity of paper money to this deponenth among others he discovered two thirty Dollar Bills which he supposed to be Counterfeits both passed accordingly to the Resolutions of the Congress held at Philadelphia May 10 1775. As by the said Bills is set forth that they are both signed Fred Kiahl and A. Morris Ju^r and Numbered the one 3502 the other 8452. which said Bills the said Jane Crawford and her daughter informed the Deponenth that they had received from Thomas Hedden and Thomas Wilson in change for other Money—which said two Bills this deponenth Demanded from the said Jane Crawford who delivered them accordingly. and this Deponent further saith not.

BENJ^A LYON.

Sworn this twentieth Day of April 1777
CHRIST^R TAPPEN.

Ulster County ss.

Daniel Williams of full age being duly sworn on the Holy Evangelist of Almighty God deposeth and saith that about a fortnight since he was called upon by Cap^t Slawsen to go with him and a Party to take Thomas Hedden that he accordingly went with Cap^t Slawsen & his Party to the House of Thomas Hedden in the Night Time and found him in his Bed that the said Hedden got up out his Bed, that this deponent and Cap^t Slawsen sarched his pockets that this deponenth found in one of the Pockets of the said Hedden six Counterfeit Bills of the Emision of the Colony of Massachusetts Bay dated Dec^r 7 1775 all of the value or Denomination of forty two Shillings lawful Money of the said Colony and signed A. Morgan, W^m Pynchon, N^o 149—150—151—156—135 & 137. Also one other Bill of the said Colony dated Nov^r 17 1776 of the Denomination of forty eight shillings lawful money signed S. Goodwin & J. Noyes and numbered 1533. Also one Bill of the Emision of Connecticut of the value of one shilling lawful money. Also one other Bill of the Emision of New Hampshire of the value of ten shillings and also one other Bill of the Emision of the State of New York of the value of two shillings and eight pence and this Deponenth further saith not.

DANIEL WILLIAMS.

Sworn this 20^th Day of April 1777
CHRIST^R TAPPEN.

West Chester County, ss. Ester Crawford, of West Chester County, aged seventeen years, being duly sworn upon the Holy Evangelists of Almighty God deposeth and saith That on the fifth Day of April Instant The said Ester received in Exchange for other Money one Thirty Dollar Continental Bill of Thomas Hedden which Bill she has been informed and verrily believes to be a Counterfeit Bill and that she delivered the same to M^r Benjamine Lyon one of the Members of the Committee of West Chester County.

EASTHER CRAWFORD.

Sworn before me this Fifteenth Day of April, 1777,
NICH^S FISH, Major.

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Counterfeit money taken from Jonathan Wood by Tunes Cooper in the Presants of Gilb^t Cooper June ye 12, 1777.

Sixty three Bills of thirty Dollars Each.

Twenty Bills of two Pounds Lawfull Each Conniticut money Counterfit.

The money was left with Jonathan Wood to buy Land by one Jacob Russel Living near ye Pawls.

Jacob Russel Living near the paulce in ulster county whome agreed with Jonathan Wood to by a farm for him & left Eight hundred pounds with said Wood upon the 2 Day of June 1777 as witness my hand JONATHAN WOOD.

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*Petition of Mrs. Grant.*

[Petitions, 33: 254.]

To the Prescedent and the rest of the Gentlemen of this Honourable Convention of State,

The humble Petition of M^rs Grant by the great fly, Sheweth,

That her husband in Jully last being desturbed in consequence of this un happy dispute and being bound by his allegiance and honour to apear to the royall standard by order of Governor Tryon, some Months before then he tocke the opertunity of forcing his Journy for the british Troupes then at New York, and he thanke god arived safe there soon after. M^rs Grant, sicx small children, on maid servant, begs for apass to carry her safe to New Yorke as she Lives very unhappy and destitute of all the comforts and blessings of this Life she formerly engoid, health itself not excepted therefore M^rs Grant hopes that the Honourable Convention conguncty and severally will in humanity lonely Carity comply with the humble requst of her who allways is with respect, Honourable Gentleme your frind,

PENUEL GRANT.

P. S.—M^rs Grant hopes that the Gentlemen of this State will consider that this Petition is wrote by a woman of not a finished education and that erors will be except.

It is necessary to no if the request is granted what M^rs Grant will be allowed to cary alonge her subject is very small therefore her lumber cant be great.

M^rs Grants requsts a speedy answer if any ways convenient for the Honourable Prescedient Expects and patiently waits an agreeable and condecending answer.

M^rs Grants begs to no if agreeable what man or if any of her own Chusing is allowd to rede her and familly allong. M^rs Grant would chuse that a man of a good carrector would be mutually chosen for that purpose and she would pay him thankfully for his trouble.

great fly, Aprile the 4 [1777].

April 21, 1777. Prayer of said Petition rejected.

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*Examination of Isaac Louw.*

[Miscel. Pap. 37: 331.]

Ulster County ss.

Isaac Low of the Precinct of the New Paltz in the County of Ulster Yeoman Examined says:

That in the afternoon of the fifth Instant a stranger came to his House on foot who asked the Examinant for Entertainment—the Examinant asked him from whence he came he replied from Warrack in New Jersey. the said stranger asked the Examinant to bring him up to one Trompoor where he had his Horse. The Examinant then asked the Stranger whether he had a pass he answered he had and shewed him a paper which the Examinant supposed to be a pass by which

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it appears that his name was Jacobus Bay—but sometime after this Examinant did again ask the stranger his name. he than told him that his name was Goes Quackenboss and that he lived at Kinderhook. The Examinant after some conversation with him engaged to bring him part of the way up to the said Trompor's but cou'd not undertake to bring him the whole way as his Wife was sick and cou'd not be spared from home—they accordingly set out the same evening, the stranger inquired of this Examinant what Rout they were to take and whether through Kingston and if a watch was kept there, the Examinant answered Yes. The stranger then asked the Examinant if he could not carry him another way so as to pass by Kingston, That he would not go through Kingston. The Examinant asked him what made him afraid to go through there. he replied that he came from New York. this Examinant then asked him what News. he answered he could not tell him any to depend on that the Common People at New York knew no news. this Examinant asked the Stranger whether he was one of the Common People or whether he held an Office. he answered he was to be a Lieutenant. the Examinant asked of the Stranger what his Business was up. he answered that he was sent up by his superiors to fetch People down. that he wou'd soon return again on the west side of the river with a Number of Men. that this Examinant went with the said Stranger to one Gerret Freer who he had understood was rather Cool in the present Contest and this Examinant confided in him and that he was assured he would not Discover him. And further he saith not. ISAAC LOUW.

Sworn this 21st April 1777 Before me
CHRIST. TAPPEN.

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*Deposition.*

[Miscel. Pap. 37: 327.]

Extract of a Deposition taken from a person of well known Veracity and Honesty in the American Cause who left the City of New York the 16th Inst at night.

April 22d 1777.

Says that on Monday the 14th Instant the Grand Battery was standing and mounted 15 Guns. the Fort at Bunker's Hill was also standing, the other Fortifications in the City were levelled and levelling—saw the people at work—that he became acquainted with a certain Captain in Colonel Roger Morris' Regiment who introduced this Deponent to the Colonel—That the Colonel told that they should not march before the 1st or 10th of May—that he gave 20s. for every private & three half Joes for every good Drummer and Fifer, to the person that enlisted them for his Trouble and to the Men who enlisted five Dollars in silver and 50 Acres of Land on Philipse Patent and that he would give them a Deed for the same as soon as they enlisted. That the Mayor of the City told this Deponent that Beverly Robinson was in Town. That from the most authentic account this Deponent could collect there are 600 new recruits at Bergen and Hobuck at Staten Island 600 at Long Island 600 and at Kings Bridge 600. That there are now a great number of officers out in different parts of the Country recruiting. That Major Paine is in the Provo Guard and not likely to come out. That the Major tells the Guards that he is in a just Cause and if ever he gets out he will fight them again. That Philadelphia is to be attacked both by water and Land at the same Time. That the new Recruits are to harrass the Inhabitants on both sides the North River; that there is a Bomb Ship prepairing to go against Fort Montgomery.

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*Jacob Hoornbeek to Matthew Cantine.*

[Petitions, 33: 720, 730.]

ROCHESTER, April 23th 1777.

S: Inclosed I send you Copy of Talk prepaired and sent in behalf of the County Committee to the Indians as also a Copy of thier answer on the same which I thought it my Duty Imidiately to Communicate to one of the Members of the

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Convention on the Reason Given by them in their last paragrape. I had a good Deal of private Conference with the Indian that was with Oosterhaut to the Indian Country s^d Indian tels me I may take it for Grant that Botler wil Come this Spring with an Army of Regulars and Southeren Indians by the way of Oswego Down upon the settelments to Albany.

I am S^r with Great Esteam your most Humbly Serv^t

JACOB HOORNBEEK.

BROTHERS: To keep up our old friendship we thought fitt to send you our Friend Johanis Oosterhaudt Jun^r to see how you are and how times are with you.

We are sorrow to hear some Red Coats are att Neagara and Intend to come this way and some of you with them. Brothers do not let them come along by you to us. Brothers we beg of you to keep open the Road Between you and us that you may always come to us and we to you. Brothers we are sorrow to hear and see Every Day our Ould Friends the Esopus Indians all agoing away from Here which makes our women and Children afraid. Brothers we beg of you to know the Reason thereof and if possable some of thier Families Could or might stay with us as formerly we would be very Glad and use them well.

Brothers we are not afraid of the Red Coats if you are our Friends for the French now helps us and in a short time we are in hopes to have Every thing for you as formerly. Brothers if you Cant stop the Rigulars to Come thrue youre Land we Bag you wel send a post and Let us know and we will pay him. Brothers we don't know what you may hear of us, for the Tories Go all over the Country and tell Leyes. Butt we assure you we are your Friends and Desire once more the Road may be open Between you and us. All this in behalf of the County Committee.

JACOB HOORNBEEK.

ROCHESTER, Aprill y^e 6^th 1777.

To all the Esopus Indians and their Chiefs and M^r Mightagh, the Sachem.

A True Copy.

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*Petition of Elizabeth Wiggins.*

[Petitions, 33: 741, 746.]

To the Honorable the Convention of the State of New York.

The Petition of Elizabeth Wiggins most Humbly Sheweth,

That notwithstanding Stephen Wiggins The husband of your Petitioner is supposed to be with the Ministerial Army, which in Fact may be the Case, yet the seizing the whole of his Personal Property which in Fact is all the Estate he could call his own as matters stands Truely Circumstanced is a more than common Hardship on your Petitioner, as your Petitioner is able to prove by good authority that her Husband went of Intirely against her will and advise. That her two sons Remaining at home with her Disapproved much of their Father's going of also and as they are of age have from time to time when called upon Chearfully done their duty in the Melitia, have gone the last year in the alarms in the Defence of their Country and one of them is now in actual seruice in the 4 months Levy. Your Petitioner is a Poor woman with a large Family of small Children and can but Barely support them with the help of her said two Sons and what little Stock of Cattle she had, which Stock is now siezed by order of your Hon^ble House. Your Petitioner most humbly conceives as her said Sons does duty in the Service of their Country and in Defence of the little Property their Father has left, That at least they ought to have a Portion left for them while they continue to Defend it as well as to your Petitioner for the use of herself and the support of her smaller children. That the takeing away the whole of the Property on which her said sons Depends, and they or one of them at the same Time in the actual servise of their Country must be to them very discourageing and to your Petitioner appears very oppressive and unreasonable and no Doubt contrary to the True Intent and meaning of the Resolution of your Honr^ble House for the Purpose of Seizing the Property of Disaf

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fected Persons. Your Petitioner therefore most humbly prays that your Honorable House will favourably be pleased to take The Case of your Poor distressed Petitioner as above Represented into Consideration as well as the Case of her Two Sons and allow them the use of the whole or at least a part of the Estate so siezed and give orders to the Gentlemen appointed for makeing sale thereof accordingly. But in case you shall think Proper Notwithstanding to continue the Sale, your Petitioner most ardently prays that she may be allowed the use of one Cow and her Riding Mare, which Mare she has purchased since her Husband's absence and is still in Debt for her, and moreover Prays that in Case the Property is Sold that her said Sons may be Discharged from Military Duty as she will then have no other Dependance than the daily Labour of said Sons for the support of herself and a large family one of them being now in actual Service and the other at present a Cripple. Your Petitioner begs further to add that it will be a real Hardship on her said Sons to have their Property sold and they still oblidged to do duty. And your Petitioner as in Duty Bound will ever pray. ELIZABETH WIGGINS.

Dated at NEW BURGH the 24th of April 1777.

P. S. We the Subscribers being Perfectly acquainted with the above Petitioner and think it highly reasonable that the Honble Convention would be pleased to Grant the Prayer of the above Petition.

Witness our Hands the date above

LEWIS DUBOIS, *Major.*
STEPHEN CARS, *Capt.*
JACOB WOOD, *Capt.*

I hereby Certify that Samuel Wiggins and Stephan Wiggins sons of Elizabeth Wiggins are in my Company of Melitia and that they have done their Duty Faithfully and on several alarms have stood their Draft and when it fell to their Lot have gone, one of them now being in the 4 Months Levy.

Witness my hand the 24th of April, 1777.

ARTHUR SMITH, *Capt*

To the Honorable the Convention of the State of New York.

By Request of Mrs Elizabeth Wiggins I hereby Certify That I have conversed with her Sundry Times Concerning her Husband's going to the Regulars and that she appeared very much hurt about it and said that she advised her Husband against it and that he went of Intirely against her will and consent, and I heard her say further that she verily believed had America been United, That the Troubles would never come to the Present Degree or words to that effect.

To the Honorable Convention of the State of New York. THOS PALMER.

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*Petition of Robert Richardson.*

[Petitions, 33: 740.]

To the Honourable the Representatives of the State of New York, In Convention Assembled:

The petition of Robert Richardson of the State of New York, Weaver, Humbly Sheweth,

That yr petitioner has Been in the service of this State for 2 years in Different Regiments, And for the last three months serv'd in Colonel Henry B. Livingston's Regiment.

That yr petitioner is Discharged from the service of this State as he is Render'd incapable of service.

That yr petitioners incapacity proceeds from his Being wounded or Disabled by a Cannon Ball striking his hand spike, and the one end of the hand spike broke the Rim of his Belly by which he is Become Bursted, And has also Lost the use of his

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Arm by the Wind of a Cannon Ball. That y^r petitioner is at present in a Truly Deplorable situation, Being Destitute of Money & Friends, As he has Exhausted all the Little money he had in paying Doctors for his relief, And is at present under the Disagreeable necessity of Getting his Bread by Craving Charity to the Great Grief of y^r petitioner.

That y^r petitioner Humbly concieves that since he has Been Disabled in the service of the United States of America he ought not to be left Destitute of a support. Y^r petitioner therefore most Humbly prays That this Honourable Convention would be favourably pleased to take his Deplorable Situation under their most serious Consideration so as that y^r petitioner may be Relieved & supported, or such other Relief as to this Honourable House shall seem meet. And y^r petitioner shall ever pray.

KINGSTON, April 25th 1777.

ROBERT his x mark. RICHARDSON.

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*Report of Proceedings against Garrett and Jan Freer.*

[Miscel. Pap. 38: 647.]

KINGSTON, April 25th 1777.

To the Honourable the Convention of the State of New York.

Whereas the Committee of Safety & Observations of the town of Kingston on the Information of M^r Cornelius Elmendorph Jun^r on the 16th Day of this Instant that Jan Freer had Conveyed on the 5th of this Instant from his house by water in a knoo a Certain person Supposed and Justly Susspected to be an enemy of this State of New York and also that his father Gerrit Freer was aiding and assisting to Convey the said Inimical person to this State,

The Committee therefore Resolved to send for Gerrit & Jan Freer to appear before the Committee which they accordingly did and on their Several and Respective Examinations Confessed and acknowledged that Jan Freer had Conveyed the person Suspected to be an enemy and that his father Gerritt Freer had assisted to Convey the said Inimical person by ordering his Negro to go with his Son Jan in the knoo the Committe resolved to Let Gerrit Freer go home again and to take Bond from Jan Freer with Bail for his appearance some futer Day which the Committee shou'd appoint for a further Examination touching the Charge & information above mentioned.

The Committee therefore on the 23^d of this Instant sent for Gerrit & Jan Freer for further Examination and Confessed no more before us then the first time they was before us. the Committee tentered the said Gerrit & Jan Freer an Oath to swear to renounce the king of Great Brittain and bear true alliegance to the State of New York which they both refused to take, and thereupon the Committee Resolved to Commit the said Gerrit & Jan Freer to Goal and Report the Case to the honourable the Convention of the State of New York.

by order of the Committee,

JOHN DUMONT, *Chairman of the Commit^ee*

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*President of the Convention to William Duer, Esq.*

[Miscel. Pap. 38: 677.]

April 25th 1777.

SIR: The Convention have directed me to inform you in answer to yours of the 17th Ap^l inst that your attention in communicating such intelligence as your situation enables you to collect as well with relation to the particular interest of this State as the more general concerns of America is highly pleasing to them.

A comprehensive view of things & some knowledge of the designs of individuals will afford the best materials on which to form their conduct & enable them to maintain the reputation which your Letter flatters them with having acquired.

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They are greatly disappointed in not being able to procure salt from the Continental Stores as the wants of the Inhabitants of this State are more pressing than can easily be conceived they therefore approve of your design to purchase at the first sale on there acc^t & w'd have you retain the money you mention in order to defray the expence thereof. Gen^l Schuylers accounts from Tionderoga were truly alarming and the more so as the Convention have it not in their power to strengthen the garrison. the Militia continually harrassed are at length wearied out, and from the experience of a late draft, the Convention are lead to be very cautious of calling upon them again—they have however the pleasure of learning by Maj^r Winslow whom you have probably seen that the garrison now amounts to two thousand men & that more are daily coming in.

The Convention have in some measure anticipated the resolution of Congress about the mode of filling the regiments but extended their exemption only to every single man who shall furnish a soldier to serve during the war least they should too greatly weaken their Militia by carrying it further.—A plan is now under consideration for oblidging the exempts to furnish a just proportion of men to the several regiments raising in this State. this subject is equally important & difficult. you may be assured that every thing in the power of this State will be done by this Convention but we are really weaker than you can easily imagine. the loss of part of our State, the difection of many of our inhabitants, the number that have fled to avoid drafts & those that have from various causes been lead to enlist in [any] of the regiments of other States have all concurred to drain us of men. You will continue to let the Convention hear from you weekly and to transmit to them the publick papers. The Convention congratulates you upon their having concluded the form of Government for this State which was published on tuesday last & will they hope be shortly organized in which case you will be pleased to correspond with the executive power thereof. I am &c.

KINGSTON 25 Ap^l 1777.

To W^m DUER Esq^r

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*Report of Committee on Lead, Sulphur and Flint.*

[Miscel. Pap. 38: 624.]

(Indorsed April 25^th 1777.)

Your Committe appointed to make Discoveries and Assayes in Lead Sulphuer and Gun Flints, Report their Proceedings and Discoveries which is as followeth (viz.)

FISHKILL, 16^th October, 1776.

The Committe for making essayes in the Discovvery of Lead Sulphuer and Flints, this day met.

*Present:* Mr. Harper, Mr. Cantine,
Mr. Wisner, Mr. Landing,
Mr. Adgate.

Mr. Adgate was chosen Chairman.

No. 1. The Committee Receiving a Report from John M^cDonald Miner Concerning the Lead mine in Great Nine Partners, Dutchess County the Committe Taking the same into Consideration thereon agreed with the said John McDonald Miner to pursue the exploring S^d mine and for that Purpose made an agreement with him. See No. 2. No. 2.

Mr. Harper acquainted the Committee that one ——— Slone of Hartword in the State of Massachusetts Bay was Experienced in cutting of Flints. Thereon agreed to send for said Slone to Manufacture Flints, and for that Purpose agreed to the following Letter.

FISHKILL, 16 October, 1776.

S^r By a Resolution of the Convention of the State of New-York, Mess^rs Henry Wisner, William Harper, Matthew Cantine, John Landing & Mathew Adgate are appointed a Committee to make essays in Manufacturing Gun Flints, and having had information that you S^r was experienced in cutting Flints and there being no



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Person here that is acquainted in that business we take the Liberty of Requesting you to come to this Place as soon as possible either to engage in that business yourself or to instruct some other Person in the business, on Terms you shall agree and as Flints is so Necessary an Article in the Present glorious Strugle for Liberty, we hope you will Redily comply with this our Request, for which we will make you all Reasonable Compensation.

We are Sr with esteem your very Humbly Servant, By order,

To Mr Slone. MAT. ADGATE, *Chairman.*

Agreed that Mr Harper send the above Letter the most Direct way he can find, & that this Committe will Pay the expense, if any shall be thereon. Mr Harper acquainted the Committee that there was Promising appearances of Sulphur lying within the earth in or near Cherry Valley in Tryon County. Agreed that Mr Harper (as he is going home) do explore or get some Proper Person to explore said appearances of Sulphur, and Report to this Committee & for that purpose he be allowed Twenty Dollers, to Account with this Committe for the same.

Mr. Wisner acquainted the Committe that he had Received a Letter from the Board of War at Philadelphia acquainting him that there was one ——— Lyon at Peeks kill acquainted in Cutting Flints.

Agreed that Mr Wisner send for the said Lyon to attend this Committe at this Place Agreed to and gave the following Order, on the Treasurer, on the back of the Order of the Convention for allowing a sum not exceeding 500 Dollars to this Committee (viz.)

Fishkill, 17 October 1776.

Sr Please to Pay one Hundred Dollars to Mat. Adgate Esqr in Part of the within sum & this shall be your Warrant for the same. Signed by

WILLM HARPER,
MAT. ADGATE,
JOHN LANDING,
MAT. CANTINE.

To Peter Van Burgh Livingston, Esqr Treasurer of the State of New-York.

The Committee again met the 6th Day of Decemr 1776 at Fish-kill.

*Present:* Mr Adgate, Chairman, Mr Cantine,
Mr Harper, Mr Wisner.

Mr Harper Produced some Samples of sulphur that he had procured in the County of Tryon and Delivered a Report N° 3.

A Letter from John McDonald miner Dated Great Nine Partners, Dated 16 November 1776, N° 4 was Read; thereon,

*Resolved* that this Committee will not Prosecute the exploring the Lead mine in the Great Nine Partners any further, and ordered that the Letter N° 5 be sent by the Chairman to said McDonald Miner.

The Committe again mett the 9th Day of December 1776.

*Present:* Mr Adgate, Chairman, Mr Harper,
Mr Cantine.

When John McDonald miner Agreable to the Order of the Committe (Letter N° 5) Laid before them the Certificate of Ezra Thomson Esqr N° 6 of the Length Depth & Width he had Sunk the Lead mine in the Great Nine Partners on the Bargain made with the Committe on the 16th of October, with his account for the same amounting to the sum of Sixty three Pound Seventeen Shilling and Nine Pence.

*Ordered* that the Chairman of the Committee Pay the same & Take sd McDonald Receipt therefor.

To enable the payment of McDonald account,

*Resolved* that the Chairman Draw from the Treasurer the Sum of One Hundred Dollars, a part of the money allowed this Committee.

*Ordered* that the Chairman Signe & Send the Letter N° 7 to Ezra Thompson Esqr

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16 Jan$^{y}$ 1777.

Letter N° 8 was sent to James Moore.

22 Jan$^{y}$ 1777.

The Advertisement N° 9 was put into Samuel Loudens News Paper.

5 Feb$^{y}$ 1777.

The Letter N° 10 was sent to Coll. Robert Livingston.

10 Feb$^{y}$ 1777.

The Letter N° 11 was sent to Casper Standt Chemist by Express in answer to which is N° 12.

1 March 1777.

Re$^{ed}$ the Letter N° 13 from Coll. Livingston.

In Committee for making Discoveries & Assayes in Lead &c. &c.
Kingston 3$^{d}$ March 1777.

*Present:* M$^{r}$ Adgate, Chairman. M$^{r}$ Harper.
M$^{r}$ Wisner,

Doct$^{r}$ Stiphaney and M$^{r}$ Casper Standt Chemist attended the Committee agreable to a Letter Wrote to M$^{r}$ Standt on the 10$^{th}$ Day of Feb$^{y}$ by the Chairman of the Committee. The Committee Proceeded to enquire of M$^{r}$ Standt the Conditions that he would undertake to Separate Sulpher from the Oar.

M$^{r}$ Standt gave the Committee for Answer that he would make no Terms untill he had seen the Proportion of Sulphur was contained in the S$^{d}$ Oar and the Advantages that would attend the Carrying on Said Business. On which the Committee

*Resolved* that they will be at the expense of M$^{r}$ Casper Standt a going to Cherry valley to examine and make necessary assays in separating Sulpher from the Oar found there.

And as it is Necessary that some Person should attend M$^{r}$ Standt in his making his Assayes and the Committee being ordered to procure Gun Flints and the Committee knowing of no other Stone Capable of affording Flints but what has been found in Tryon County, therefore

*Resolved* that M$^{r}$ Harper do go with M$^{r}$ Standt to Cherry Valley in his making his assays and that M$^{r}$ Harper do agree with some person to bring one or more Load of Flint Stone to Kingston from S$^{d}$ County as he shall best find when he comes there and this Committee will pay the Expence for the Same.

*Ordered* that the Chairman advance to M$^{r}$ Harper forty-five Dollars and Take his Receipt for the same.

March 20$^{th}$

The paper Marked N° 14 was Rec$^{d}$ from M$^{r}$ Harper, together with paper N° 15 and a Sampler of Sulpher Refined from the Oar at Cherry Valley by M$^{r}$ Standt. Said Oar Producing from 3200 lbs when Refined 1000 lbs Sulpher.

Letter N° 16 was Rec$^{d}$ from M$^{r}$ Bleeker of Albany.

Letter N° 17 to M$^{r}$ Wisner from George Lindsay Stone Cutter was Rec$^{d}$

The Committee again met 1$^{st}$ April 1777.

*Present:* M$^{r}$ Adgate, M$^{r}$ Cantine.
M$^{r}$ Harper,

John McDonald Miner Attending the Committee

*Resolved* that he be sent to explore the Lead Mine at Rochester, and Report the same together with the Neeessary Plan for working said mine, and that he be allowed 8s. pr. Day for Wages & Subsistence he apply to Andrus De Witt Esq$^{r}$ at Rochester for any assistance he may want in exploring said Mine and that this Committee will Pay the expence Said De Witt shall be at in giving such assistance.

*Ordered* that a Letter be Written to Andrus De Witt Esq$^{r}$ Requesting him to give McDonald such assistance.

Letter N° 18 was accordingly Written and sent by said McDonald.

*Ordered* that the Instruction N° 19 be given to John McDonald Miner.

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April 16, 1777.

The Committee Rec^d the Letter N° 20 from M^r James Rickey and the Letter N° 21 from M^r Casper Standt Chemist at Cherry Valley. The Committee agreed to and Ordered the Chairman to send a Letter to M^r Standt of which paper N° 22 is a Coppy, and therewith send M^r Standt 100 Dollars by the hand of M^r Moore.

April 18, 1777.

John McDonald Returned from exploring the Lead Mine at Rochester and Delivered his Report N° 23 at the same time the Committee Rec^d the Letter N° 24 from Andrus De Witt Esq^r

The Committee Taking the same into Consideration ordered John McDonald to Report to them what he would Clear and Repair the Levil and Clear the Pitt in said mine for. On which S^d McDonald Delivered the Committee his Conditions Paper N° 25. The Committee thereon made the Agreement N° 26 with said John McDonald and gave him the Order of which N° 27 is a Coppy on Ezra Thomson Esq^r for Tools Said McDonald Requesting of the Committee an advance of Ten Pound, on the aforesaid Bargain. The same was Allowed him for which he gave his Receipt.

The Said McDonald Delivered the Committee a paper N° 28 which he said was a Coppy of a Report he had formerly made in his exploring a Lead mine in New Canaan in the County of Albany.

The Letter N° 29 was also Rec^d from the War Office at Philedelphia the Committee being informed that M^r Adgate would soon Return home, thereon

*Resolved* that he do take some effectual means on his Return home to see M^r —— Stone Flint Cutter Living in Hart wood in Massachusetts Bay State and Agree with him to enter into that business, and that he be allowed a Reasonable Satisfaction for the same.

The Committee for making Discoveries & Assayes in Lead, Sulpher, Flint, Black Lead & Salt Met the 19^th April 1777 for the Purpose of forming some Proper method to be Pursued in the Prosecution of the said Business that it might better answer the Purposes intended thereby, and agreed on the following Resolution to be Reported to the Convention, as the most Proper Method to be Pursued in their Opinion for the Present.

*Resolved* that Commissioners be appointed in the County of Ulster to explore and Prosecute the Mines for Lead, Sulpher, Black Lead and Flints Stone within the same and that they be impowered to employ such men and explore such mines as they shall Judge most Proper and that they from time to time Report their Proceedings to the Legislature or during their Recess to the Supreme executive power of this State, and that ——— be the Commissioners for the purpose aforesaid.

*Resolved* that ——— be appointed Commissioners to explore and Prosecute the mines for Lead, Sulpher, Black Lead, Flint Stone and Salt in the Northern Parts of this State and that they be impowered to employ such men and explore such mines as they shall Judge most Proper and that they from time to time Report their Proceeding to the Legislature or during their Recess to the Supreme executive Power of this State.

*Resolved* that the said Commissioner be Respectively allowed ——— pr Day for their Services whiles actually employed in the Business Assigned them by the foregoing Resolutions.

## Report on Ezra Thompson's Account.

[Miscel. Pap. 39: 305.]

The Committee for making Essays on Lead, Sulphur & Flint informed the Committee of Safety that Ezra Thomson & John Landon Esquires had applied to them for a settlement of their accounts in Superintending the Lead mine at the Great Nine Partners, by order of the Congress of the Colony of New York on — Day of —— and ask the Direction of the Committee of Safety in Setling the said Accounts, thereon

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*Resolved & Ordered* that the Committee for making Essays on Lead, Sulphur & Flint do audit the accounts of Ezra Thompson & John Landing Esq[rs] for superintending the exploring the Lead mine in the great nine Partners, and Pay the same out of the Publick money they have in their hands.

D[r] Letter to the Different Committees.

[Miscel. Pap. 39: 445.]

SIR: You will see by the Inclosed Resolution of the Continental Congress that the Committees in the Different Counties are Requested to Collect all the Salt Petre & Sulpher in their Several Towns and Districts for the use of the Continent and to send the same with all Possible Dispatch to this Congress—as to Sulphur and we have sufficient in this City, you are therefore to Direct your Attention to the Article of Salt Petre only—as this is an Object of the Utmost Importence we Recomend this Business to your Immediate attention and are your humble Servants by order of the Congress.

The Proposals of John Higgins,

[Miscel. Pap. 39: 459.]

To the Honourable Congress as specified underneath,

Is to rise lead ore at thirty five pounds New York Currency per Ton Dressed ore without being Smelted the same to be dressed as I can Digg and pay'd directly the Congress to furnish all kinds of Mining Tools and pay for the dressing of the Same and provide me with what powder I demand for the use of blasting and that at their expences besides Twenty pounds immediately after Cutting the Vein appeared to be a body, to have an order to break the ground in any farmers possession where I think to meet with success. I would be glad to receive an answer immediately as I intend going Else where. I am yours &c,

JOHN his x mark. HIGGINS.

[Miscel. Pap. 35: 99.]

Augst 17[th] 1776.

GENTLEMEN: In Complyance with the Commands of the Honbl Provincial Congress on the 13[th] June 1776, I Repaired with all possible Diligence to the great nine partners in Dutchess County and there conducted myself and Labourers withall endeavoring to work and open the Pitts or shafts of the mine after concluding the repairing and Clearing out the rubbish Considered on Mr. Moses Harriss information Relative to this mine which at Large is in a report drawn by me in March last under the declaration of Jonathon Landon Esq, to which may compare this report of its Circumstances as in the manner following:

Beginning at the North east corner of the hill where have cleared two Pitts and discovered in the first a small quantity of Lead ore lying in three different places about three inches Diameter, and in the second Pitt found ore in four sundry spots in proportion equally to the first pitt about four foot distant from one appearance to another, their Bottoms being examined and appeared Disagreeable to the least prospect—Thirdly beginning to the southwest about the middle of said hill there cleared two Pitts which appeared equally in quantity & quality agreeable to the situation of the first & last Pitt Cleared at the foresaid North east end of the hill the vein of Sparr appears three inches Broad and where Mr. Harris undertook to make an advantageous discovery have Digged 18 foot Length and about three foot deep there I found a Vein of Ore containing two inches broad at which spent four days & raised near three or four Hundred weight of Lead ore, but it appears to be some times decreasing & increasing which being the usual case in the former trials done I remarked that it is possible to procure a little quantity of ore in each Vein or Branches in this bounds, therefore if your honors inclines to prosecute per adventure in expectation to fall into a body the method is to open & search the ground where supposed such do most frequently lye, as I have in my former Report Described at large the Dimention & situation of the Mine Hill. I'll proceed no

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farther Concerning adventuring for the public purpose but leave it to your Hon$^{rs}$ Serious Consideration.

Gentlemen I am your most obedient humble Servant

JOHN M$^{c}$DONALD, *Miner.*

GENTLEMEN: Ezra Thompson Esq$^{r}$ was very punctual looking and Providing any thing wanted to the mine. he surveyed four times each week sometimes inspected three times in a day When Occasion offered and assisted us with his horses by which attendance spent much of his harvest employment.

I am Yours,

JOHN M$^{c}$DONALD, *Miner.*

[Miscel. Pap. 35: 97.]

GENTLEMEN: In Complyance with the Desire of the Congress I superintend John M$^{c}$Donalds Proceedings of the Mines and he carefully conducted himself and Labourers in working to satisfaction and that preceeding to the 13$^{th}$ of Augst 1776, and keeped regular acco$^{ts}$ of the same and has Drawen a report of the appearances the truth of which as far as I could judge may be depended on. As to the old Irishman one Higgins who I understand formerly applyed to your Honors several times with a sample of Lead Ore proposing to be from an advantageous prospect, discovered by himself which sample of Ore I found by examination he got from other persons and that he had no discovery of his own. therefore do not give the least dependence to what he says relative to Mines. He also is very disagreable to the Neighbors. I was under the necessity to employ him as a laborer owing to the scarcity of workmen here. I also send the accompt of the laborers work which is one hundred and nine days. Also what money I have advanced which is £7 11 6. I also advance two Pound to M$^{r}$ M$^{c}$Donald. I have taken all the Tools and Ore for which I gave my rect and shal waight your order for the Deliver of them. M$^{r}$ M$^{c}$Donalds behavior was very agreeable to all the Neighbours.

Gentlemen I am with Respect Yours very Humble Servent.

EZRA THOMPSON.

[Miscel. Pap. 34: 227.]

I John M$^{c}$Donald Miner Do acknowledge to have received from Ezra Thompson Esq$^{r}$ 2 Bockets, 4 Iron Wedges, 2 Speds, 1 Large Sledge, a Winless Wheel with Ten fathom Rope to use at the Mine. For which use I shall bind myself to Repay the Damage of said tools during the time in my Custody. The thirty pounds I shall not demand but as the Ground is Culd. JOHN M$^{c}$DONALD, *Miner.*

[Miscel. Pap. 35: 101.]

I Ezra Thompson Esq at the great nine partners Dutchess County Do hereby acknowledge to have received from the Hon$^{ble}$ Provincial Congress for the Colony of New York by the hands of John M$^{c}$Donald Inspector and accomptant of the mine the following Inventory of mining Tools which hath been used in cleaning & repairing the Pitts or Shafts &$^{c}$ of the mines here from the 25$^{th}$ of June 1776, and preceeding the 13$^{th}$ of August 1776, for which tools I become under the obligation to keep safe in my possession waiting their further Instruction relative to this mine until the same is delivered to any having their punctual orders as Witness my hand this — day of August 1776. EZRA THOMPSON.

Viz.: 1 Iron mail hammer or Sledge Weigher
2 Spds or Shovels.
2 Iron picks.
4 Iron wedges.
1 Broad faced Ax.
1 Wmble or Oger of 1 Inch Diameter.
1 Hand Saw.
10 Fathom rope with 1 Iron hook.

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1 Winless wheel for the use of drawing rubbish from Pitts or Shafts.
2 Buket 18 inches deep with Iron hoops & handles,
In which are left full of lead ore supposed To weigh about three or four Hundred weight, and after it is well dressed supposing To be three Hundred weight.

[Miscel. Pap. 35: 117.]

I have received of Mr Bancker fifty-four pounds Six shillings the Amount Expence of Clearing the Pitts or Shafts 4 of the mine in the great nine partners Dutchess County including this day August 21st 1776.
To JOHN McKESSON Esqr Secry JOHN McDONALD

Instructions to John McDonald.

[Miscel. Pap. 39: 397.]

29 Aug. 1776.

SIR: You are Immediately to Repair to the nine partners in Dutchess County where you are Endeavour to Open the pitts or Shafts, of which Jno Bogart is now owner & was formerly Carrd on by Van Hook & Teabout—You are to Imploy proper persons to assist you not Exceeding four—at the Cheapest rate—& Clear out the pitts or shafts as soon as possible, and as soon as you have Cleared out the Same you are Immediately to Repair to New York, unless you Receive Other Directions from us or the provincial Congress or some person who we Shall Send or the Provincial Congress.
To Jno McDONALD.

Letter to Colonel Graham and Mr. Landon.

GENT: By order of the Congress we send up McDonald a miner to Clear out the pitts or Shafts, of which Van Hook & Tea Bout formerly Carried on—you will please to Give him what assistance you can in Employing hands—not Exceeding four—the pay for which the Congress will allow.
To Col. GRAHAM & Mr. JONATHAN LANDON.

(No. 1.)

[Miscel. Pap. 35: 683.]

Oct 16th 1776.

To the honorable Convention of the Representatives of the State of New York.

I John McDonald Miner who in August 1776 was appointed by your honble board of instruction to proceed immediately to the Great Nine Partners in Dutchess County & there to explore into a further Discovery of the Lead Mine in complyance with the requests have conducted chiefly where my Judgment in Minery had an expectation of meeting with the best promising appearances according to the limited space appointed to explore the Mines which within 42 rods to the North east end of the Hill, there opened 30 foot in length & in some places digged 3 foot deep & in other places have sunk 6 foot the depth in general is 6 foot & the Breadth thereof 3 foot there discovered a vain about 2 or 3 inches Breadth which decreases & increases in there raised Fifteen Hundred weight of ore when sufficiently dressed for sale or smalting & that is my positive estimation. the present circumstances of the discovery seems to be deserving of giving a trial of sinking a certain quantity of Foots or a limittation of time to work in Expectation of Exploring a Visible prospect so as to bring the same to a bearing the better to indemnify the Damage or Expences laid out per adventure the sufficiency of the quantity & quality contained in said Vein is indisputable the truth of which Your Honors may have the pleasure to be thoroughly convinced by enquiring for Jonathan Landon or Lewis Graham Esqs as they inspected the same and saw what work was done to the proper Execution. I had not the advantage to persue the freedom of searching & digging further Discoveries elsewhere owing to the short time allowed to continue here likewise have been under much difficulties providing Blasting Tools & powder for the purpose. In respect to a Prospect able to indemnify or repay the expences of working such rocks as are here anent I shall inform this my last Sentance.

[One line of MS. torn off.]

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Thus a company of adventurer canot expect to be gainers till such time as they fall upon a Vein of three inches breadth of a constant continuation yielding ore indeed if the ore was found in body about 18 inches diameter lying within a little distant from one to another continuing I would pursue it. As to the intelligence above mentioned the Hon^ble Board of Regulations may or may not Determine to prosecute further into it. I disdain to have any connection in Flattery Contrary to my understanding—Conscience in this branch of Business. The ore is delivered safe to M^r Ezra Thompson & the Mining Tools all which is concluded after this is most humbly submitted to your hono^rs serious consideration

By your honours most obedient and Most Humble Servant,

JOHN M^cDONALD, *Miner.*

Consider the report of Rochester Patent Mines.

To renew the Memory relative to the Dimention from both the north east & south west fallings of the ground in limestone Hill is one mile in length. Breadth half a mile & 40 Rods Heighth wherein the veins or branches lyes West & East. the ledges of rock or limestone inclines to North East & South West which is contrary to the inclination of the vein or branches therefore they proceed from the Main Vein which inclines following the inclination of the Rocks the above length breadth & heighth may be sufficient notice to any that have a particular skill or knowledge in conducting lead mines in all its branches the ground is well situated to pursue proper trials so the method of mining the necessary scheme is to drive a level from the North East to the South West & from which with a Cross cut from the West to the East in order to discover the principal vein from which the present Branches proceed.

Your honours Most Obe^dt Serv^t

JOHN M^cDONALD, *Miner.*

(No. 2.)

[Miscel. Pap. 35: 685.]

Whereas the convention of the Representatives of the state of New York on the 19^th day of Sept 1776 did appoint & authorise us Henry Wisner &^c a Committee to employ proper persons for making discoveries & Essays of Sulphur, Lead & Flint within this State we do hereby covenant & agree with John M^cDonald miner in manner following that is to say, that he the said John M^cDonald shall sink the Lead mine which he has lately opened in the Great Nine Partners in Dutchess County 12 feet in depth from its present state & extend the same 30 feet in length & 3 feet in Bridth in such direction as he shall think best to pursue the Vein & carefully seperate the ore from the Rubbish & deliver the same to the order of this convention, & the s^d John M^cDonald further agrees for the consideration hereafter mentioned to provide at his own proper cost all such articles as may be necessary for the performance of this agreement & to make a faithfull report of the state of the mine at least once in every month & we the said Henry Wisner &^c &^c do on our part covenant & agree to pay the said John M^cDonald the sum of Ten Pound for every sixth feet in depth six feet in length & three feet in breadth which he shall sink in said mine. In Witness Whereof we have hereunto set our hands & Seals the 16^th day of Oct. 1776.

(No. 3.)

[Miscel. Pap. 36: 46.]

William Harper one of the Committe for making Essays in the Discovveries of Lead, Sulpher and Flints Requested by said Committe to Explore or get some Proper person or persons to Explore the Appearances of Sulphur Lying within the Earth in or Near Cherry Valley in Tryon County, as also to send a Letter to —— Slone at Hartwood in Massachusetts Bay, flint cutter to come to the Fishkill & Ingage in cutting Flints or Instruct some Person therein Reports that on his Arrival at Albany he was informed the most Likely way of sending the Letter to said Slone was to apply to —— Trumble Esq which he accordingly did with whom

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he left said Letter; that s^d Trumble informed him afterward that he had sent the Letter to s^d Slone—also that on his arrival at Tryon County he Employed Robert Nelless and Ezra Hulburt whome he attended to Explore the Appearince of Sulpher in Springfield Joining on Cherry Valley, that there was very promising appearances of sulpher in land said to belong to Thomas Spencer in s^d Springfield; that the sulpher appeareth to lye in springs of water; that the water apeareth thick with Sulpher, that the s^d Nelless & Hulbert did Explore s^d springs, out of which they gathered the sulpher herewith presented; that there is to appearance a great body of sulpher Lying within the ground, that the situation of the ground is such that the water may be with a Little wit Drained off, all which and the further exploring said Sulphur Is submitted to the Committee aforesaid.

WILLIAM HARPER.

(No. 4.)

John M^cDonald to Committee of New York Convention.

NINE PARTNERS MINE, 16^th November, 1776.

SIRS: In compliance with the contract from under your hands, dated October last respecting the sinking into the lead mine here, twelve feet in depth, and extend the same thirty feet in length and three in breadth, with such directions as I thought best to pursue the veins, &c. When at my entry Mr Ezra Thompson here measured twenty-four feet, in length from the west to the east, which course being and are the inclination of the veins, and perfectly appeared the most promising prospect to work. There wrought and blasted the rocks with the men I employed, until the veins became mixed with different kinds of ugly rocks, which brought to disappear, yielding any quantity worthy of pursuing to advantage, and I therefore prosecuted into several veins going to the southward, cross from the said dimension, and therein digged out about seventy-six weight of ore during the driving, about three feet in length, ten and a half feet in depth, and twelve feet in breadth, and at conclusion of the same, the ore almost disappeared. At my pursuit in the said thirty-four feet length from the west to the east, raised about twenty-six weight of ore, after which spent the half of the time. The nearest estimation of the lead ore, is nine hundred weight.

Gentlemen, I am on the motion to continue working further into, sinking eighteen inches in depth, and drive the same about eighteen feet in length, which may instruct any person having skill in minery to learn the sufficiency and deficiency of the same and before the performance thereof, I expect an answer of this report from your Honours, letting me know whether or not to proceed any further into the present opening, twenty-four feet in length, above mentioned. As for my own part, I am already thoroughly convinced that it will not be so advantageous as to clear the tenth part expense of working. Therefore with all possible expedition write to me and Mr Thompson, if you intend that I should make trials elsewhere here or return to Fishkills. The main trials is driving a level, together with sinking, cross-cutting, raising, &c., which will cost any company of adventurers about six thousand pounds before they could meet the complete and proper trials. Money will be very acceptable to pay my workmen's wages and other articles which I stand indebted for. Your orders will be most punctually obeyed.

Ten days hence there will be finished about the half of the bargain.

Sirs, your most obedient and humble serv't

JOHN M^cDONALD, *Miner.*

To WILLIAM HARPER, HENRY WISNER, JONTH. LANDON, MATTHEW CANTINE and MATTHEW ADGATE, and members of Convention.

P. S. If the trial does not turn out better from the present state it now is, within the 28^th of this month, I shall possibly be desired by your Honours to give up the prosecuting into any further trials without the aforesaid diminution.

The bearer is one Mr Herrick from this place, who is an honest man, to bring back the return of this.—I dont choose that your Honours should sink great sums in improper trials.—I adieu, JOHN M^cDONALD.



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(No. 5.)

Matthew Adgate to John McDonald.

FISHKILL, 6th December, 1776.

SIR: The Committee for exploring Lead Mines, &c., have this day had your letter of the 16th November, 1776, before them, it being the first time they have met since it was received (on your report therein). I am directed to inform you it is the will of the Committee you should proceed no further in exploring the lead mine in the Great Nine Partners, on the bargain made with you by the said Committee on the the 16th day of October last, until their further order, and that you do repair to the Fishkill, bringing a certificate from Ezra Thompson, Esq., of the length, width, and depth of the pit you have sunk on said bargain.

Signed by order of the Committee,

To JOHN McDONALD, *Miner*. MATTHEW ADGATE, *Chairman*.

P. S. The Committee desire you to procure Mr Thompson's account against them for inspecting said mine, for settlement.

Ezra Thompson to Jonathan Landon.

SIR: According to your orders of the 1st December, 1776, I have measured the work done by McDonald and his workmen since his last agreement with you and Committee appointed to explore mines in this State, viz.: he sunk from the west to the east, five feet depth, and extended the same twenty-four feet in length, and three feet in breadth; he also had sunk from northeast to the southwest, eleven feet in depth, and extended the same two and a half feet in length, and twelve feet in breadth. The above different measures are as exact as I could make. He likewise has drawn a report, the truth of which, so far as I could understand, may be depended on. Sir, I remain your very humble servant,

December 3d 1776. EZRA THOMPSON.

By agreement McDonald was to dig one hundred and eighty cubick feet for ten pounds. He has dug six hundred and ninety cubick feet, which, at the rate of ten pounds for one hundred and eight, amounts to sixty-three pounds seventeen shillings and ninepence.

(No. 8.)

[Miscel. Pap. 38: 409.]

FISHKEL, 16th of January, 1777.

SIR: I am directed by the Committee for making asayes on Led, Sulfer and flints, to Request you to open the pit in your yard—& take out of it a Slay lod of the Largest and best Flint Stones & bring them to this place as Sune as possable for which wee will pay you twenty Shilings a day & alow you a reasonable time to goo home & if the Snoo Shuld fall when you Cum near this place gate a wagon & wee will pay the Exstrordinary Expence & if you Canuot undertake, pray Get one of your nibers to undertake it and you will oblege your frin & humble Sarvent,

To Mr JAMES MOORE, at Chery Valy. WILLIAM HARPER.

(No. 15.)

Plan for Erecting a Brim Stone Manufactury.

[Miscel. Pap. 37: 685.]

For erecting a Brim Stone Manufacture—

No. 1. They want a cross fine seive with high brim to strane the Oar as it comes out of the spring from the leaves and Dirt otherwise it wont allow the sulphor to be refined.

2nd Want a Lye Tub made of board to strain the Oar through the seive Another Tub Wanted to Laid the Oar so Strained into, in order to Refine or Distill it.

3rd There must be a quantity of Brick to erect two Furnisses to Refine the Sulphor each of said furnises must be covered from the weather. It will be necessary that a small house be built for the master workman to live in and Barrack for the workmen.

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There wants three men to smelt Brimstone and one to cut wood and assist said men.

That after the agreement is made the mowlds must be made by a Joiner and sent to the furniss for casting the instruments, it would be a great benefit if earth could be got that Tobacco Pipes are made of that Providing the potts should bust they might be mended or crucibles made.

CHERRY VALLEY, 20 April, 1777. CASPER STANDT.

My John has brought a sample of Brimstone with him and a piece of Brimstone Oar which Mr John Harper gave me and Shewed me the Place where the oar was to be had where my John has Taken a view of the Mountain the oar is in. 100 ft of the oare yield 24 lbs of Brimstone and the Drugs make Vitriol. I have Taken a view of the Lead mine at the Mohack River but the water was so high that I could not see the veins and could make no Judgement on it by the looks of the hill where the Lead is in my opinion must be verry Rich. I picked up a stone on the hill which appeared to be Allum. I have also picked up on the hill Brimstone oar. Mr Standt writes to Doctrs Stephane to make a Contract for the Carrying on the manufacturing the Brimstone, and if a Contract is made he must have his wife and Effects moved to the place for carrying on said Business at the cost of the Convention for Removing of which one wagon is sufficient.

(No. 16.)

[Mil. Commit. 25: 825.]

About 2 years ago I went up to the Lakes at the Head of the Suscahanna, where my father has Land, at the house of one Smith who lives on one of the Lotts I was inform'd by him that on one of the Other Lotts near the Lake were two hills of native Sulpher, that a Creek ran through the hills whose bottom was sulpher, that he had brought some of it to his house and run it in a Cake in a Shovel, that by the flame & Smell he knew it to be Sulpher. When I got to Albany I asked John R. Bleecker about it as he had surveyed & laid out the Lotts, he confirm'd it and said that the Creek was distinguesed on the map by the Sulpher Creek. Its about 14 miles from the Mohocks River, and it may with little Trouble be also carried down the Suscahanna by water as far as Harris's Ferry and after a little land carriage to Philadelphia. GARRET ABEEL.

(No. 19.)

[Miscel. Pap. 37: 679.]

KINGSTON, 2d of April 1777.

To JOHN McDONALD, Miner.

SR: You will proceed from this place to Rochester Lead Mine and there explore the situation and appearinces of the same Together with the necessary plan for working said mine and when you have done this you will return to Kingston and report the same in writing to this committee or to the convention when at Rochester. You will apply to Andrus Dewitt Esqr for Direction and Assistance if any you want in Exploring said mine for doing which you will be allowed 8s. pr Day as wages and Subsistance.

(No. 23.)

[Miscel. Pap. 37: 681.]

To the worthy Committee of the Honble Convention of the State of New York for making discoveries of Mines within this State for the use and benefits of the Public.

In consequence of your Encouragement at Kingston to me in writting in the beginning of April 1777 Requesting to proceede to Rochester Lead Mines and there to take proper Inspection of Exploring the situation and appearances thereof Together with its proper plan for working said mine Therefore agreeable have in complyance to your honrs Command have agreeable to mining Regulations drawn the necessary and only method of working the present discovery of the mine answerable to the state of the Bound wherein several discoveries made reported in full as specified in the manner following:

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SIRS: Andries Dewitt Esq^r conducted me to a large mountain lying northeast and south west there I found the vein of ore in which appear Lying from the Estern to the Western in a ledge of millstone made with the white flint & sulfer where a company of adventurers had Driven and sunk a level & pitts in quest of Lead &c. Amongst the Tryals are found a pitt on the Tract of the vein & level about 50 feet in Depth wherein the main satisfying prospect hath been Explored. Unfortunate the Company of Adventurer was under the necessity of giving up. Proceeding further Discovery found owing to the water rising in said Pitt which occasioned them to go on with the Level from the falling of the mountain so as to proceed Exactly Towards below whereon the pitt stand so as to prevent its safety to prosecute after the conclusion of this undermining Level to receive the water from said Pitt & also another Pitt about 44 feet further up to the Rising of the mountain the Depth of which is unknown to any one in this place but that they said a good and sufficient quantity of ore taken out from it. This Level is driven to about 102 feet from the Entry to the forend thereof and before reaching below the intended purpose above mentioned whereon the pitt ly's Requires driving the present state to about 36 feet farther and possibly it may turn out so much ore as will perhap's Indemnify the most part of Expenses thereat from which full Extent Height upwards to the bottom of said pitt will be about 20 feet which added to the above 30 feet sunk already make 50 feet the supposed Depth from the Forend of said Level to the rising of the mountain where the Company begun to sink foresaid pitt at which I understand they apply'd a pump for pumping out the water but the pitt was sunk Erregular for the purpose but such article is necessary to peruse when at the next Tryal after the pitt is made streight and from what I learn by the appearances of the mine the ore ly's in bodies in different shapes lying at some distance without the continuation of any Constant Regular vein. but it has one good property which commonly to satisfaction the lower to sink & drive seems to me the better it appears uncertain as there is Disadvantages before the Execution of Blasting to see the consequences of the Prospect the chief part of the Level is fallen together in which are Rubbish some water & Timber the same Timber being the sufficient support and by the want of repairing Received Damage which occasioned it to fall in such Reducement both Level & Pitt requires clearing out the Rubbishes & repairing with Timber after accomplishing the prosecuting into blasting the Rocks may goin force to make a communication between the Level and the pitt. The particulars above is as near to its proper calculation as any person can Express from their skill and knowledge in conducting Lead mines in its full Branches. By information received from men of Distinction I became discovering the Reason & manner which brought the Company of Adventurer to drop their intended trying to its full Extent which being owing to their not receiving any satisfying returns of the Large quantity of Lead ore sent on to old England under the cover & conduct of the Deceiver he who then was appointed Governor of New York through which Treachery made his Escape with the worthy Owners Effects. As to the Intelligences above your Hon^ble Board may or may not consult & Determine to put in Execution the several directions given Respecting the situation and Circumstances of the mine I have been as Conscientious as my capacity could in discribing the Truth of the mine all which is concluded after this is most humbly submitted to your hon^rs serious Consideration

By your hon^rs most obe^dt and Most humble Servant,

JOHN M^cDONALD.

(No. 25.)

[Miscel. Pap. 37: 677.]

Whereas the Committee of the Hon^ble Convention for Exploring mines within the state of New York Ordered that John M^cDonald their present Miner should in writting report by his honour & conscience The Exact sums of New York currency Required to grant any Undertaker Capable in minery to clear out the old Rubbish Out at the entry of the former level Driven in Rochester Lead Mine Repairing the same with timbers where occasion offered from the Entry thereof towards the length

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of the present State where at the company of Adventurer had given up the proceeding of working the said Level also together with clearing a pitt called 30 feet in Depth upon the Tract of the Level and in case the water contained in said pitt to Overpower the Undertaker have a Distinction of Prices allowed to Each Performance Allowing the clearing or Repairing the Level as a miner ought 82 pounds, Allowing the drawing of the Rubbish & water in said Pitt 22 pounds, so as to see the bottom in the present state of said Pitt and the said committee Further to provide the Undertaker at their proper cost & charges all such articles as may be necessary for the performances of the above agreement proposed and after accomplishing I can nearly inform the amount so to make a form of the communication betwene the Level and the Pitt. The above your hon$^{rs}$ may safely grant to any honest man capable in conducting the same. The chief part of the Tools wanted for the above is in M$^{r}$ Thompson hands proper I should be employed to bring them with an order allowing Expences with the carriage of the same to the mines the same to your acco$^{t}$

By your honr$^{s}$ most obd$^{t}$ and humbl serve$^{t}$ To command,

JOHN M$^{c}$DONALD, *Miner.*

(No. 26.)

[Miscel. Pap. 37: 369.]

This agreement made betwene Messrs. Henry Wisner, William Harper, John Landon, Mathew Cantine, John Sloss Hobert, Robert Yates and Mathew Adgate, Esquires a Committee of the Convention of the State of New York for the Purpose of Making Discoveries and Assayes in Lead, Black Lead, Sulpher, Gun Flints and Salt on the Part of the State of New York, and John M$^{c}$Donald miner on the other Part Witnesseth that I the said M$^{c}$Donald do covenent and agree with the said Wisner, Harper, Landon, Cantine, Hobert, Yates and Adgate, Esquires, for and on behalf of the State of New York to Clear and Repair the Level and Pitt sunk and made in the Lead mine known and Commonly called by the name of Rochester Lead Mine Lying and being in or near the Town of Rochester in the County of Ulster that is to say so to Clear and Repair the said Level so far as it hath already been Driven and supporting the same with proper Timbers or other ways as is Necessary for to Render it usefull for the Purpose intended thereby of Drawing the Water from said Pitt and so to clear the Water and Rubish from the aforesaid Pitt as to enable the work of mining to be Continued and carried on both in the said Pitt and Level, Provided Nevertheless that if the water shall so Prevail in the said Pitt as to Render it impracticable to Clear the same with Buckets that I the said M$^{c}$Donald am not holden to Pursue the Clearing the said Pitt by this agreement for doing of which we the said Wisner, Harper, Landon, Cantine, Hobert, Yates and Adgate for and in behalf of the said State of New York do covenent and agree with the said John M$^{c}$Donald miner to give him for Clearing and Repairing the Level in manner above Discribed the sum of Eighty Two Pounds and for Clearing the aforesaid Pitt the further sum of Twenty two Pounds and if it shall so happen on trial made to clear the said Pitt that it cannot be Cleard with Buckets by reason of the water Prevailing we Ingage for and in Behalf of the said State of New York to Allow the said John M$^{c}$Donald Eight shillings pr Day for the time he shall actually be imployed in attempting so to Clear the said Pitt we the said Wisner, Harper, Landon, Cantine, Hobert, Yates and Adgate for and in behalf of the said State of New York do further Covenant and Ingage with the said John M$^{c}$Donald Miner to procure and find him at the mines Necessary Tools to Clear and Repair the aforesaid Level and Pitt in witness whereof we the aforesaid Parties have hereunto set our hands this 18$^{th}$ Day of April, 1777.

| | | |
|---|---|---|
| William Harper, | Mat. Adgate, | Jn$^{o}$ Sloss Hobert, |
| Henry Wisner, | Jon$^{th}$ Landon, | John M$^{c}$Donald. |

In Presente of us,

Thomas Tredwell
Lewis Graham.

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(No. 27.)

[Miscel. Pap. 37: 703.]

KINGSTON, Apr[l] 18[th] 1777.

MR. THOMPSON, Sir: You will deliver the mining tools now in your Custody to John M[c]Donald taking his Receipt for their delivery. You will be so good as to assist M[c]Donald in getting a Carriage for removing said tools. M[c]Donald will pay for the same. By order of the Committee for Exploring Mines &[c]

MAT. ADGATE, Chairman.

To EZRA THOMPSON, Esq[r]., Nine Partners.

Report of a Lead Mine in Albany County.

(No. 28.)

[Miscel. Pap. 38: 151.]

An Extract of the Contents contained in the Report drawn by me In Feb[y] 1776, Relating to the Situation and Appearances of the Lead mine New-Caanan in Kings District, Albany County.

There I found the Vein of Ore which appeared about 60 or 70 Rods in Length, Lying South and North in a ledge of Limestone mixed with white flint at the South end falling the ground falls about 30 feet below which the water Cannot be drawn by a level which vein I found had been opened in several places about one Rod in length and about 4 feet in Depth but no Continued or adherent Vein, but found the ore in bodies in different Shap's about three Inches Diameter lying about four feet Distant, and I had tryed Several places where it had not been before opened and appeared to be in the same manner the only Contrivance from its advantageous state for working is to drive a level of 64 fathoms from the South end falling of the ground as there's no possibility of Cutting a Cross Cut owing to the ground standing Level where it absolutely Required the same.

Therefore my further Instructions Relative to another Plan was to Try the Experiment of the mine at the Cheapest Expenses which to Sink a pitt about 36 feet deep upon the Track of the Vein where the best Visable prospect appeared and to make a dilligent Search elsewhere and open the ground where supposed the Veins of ore do most frequently lye, and after happening to meet with a promising prospect likely to turn out to Immediate profit immediately thereafter to proceed in Driving Said 64 fathoms Level from the South end falling of the ground to the North upon the Tract of the Vein by so doing could go with a Cross Cut which would discover which of the Veins Improved most likely To bear the greater Quantity with it's quality, &c. &c.

By JOHN M[c]DONALD, *Miner.*

[Miscel. Pap. 37: 734.]

Doct[r] Stephaen saith that M[r] Standt has informed him if a Contract is made he must be allowed £125 sterling pr Year, finding himself and be imployed for several Years, and in Case he Died in the time, his man John must take his Place, that he will carry on any Refinery.

Doct[r] Stephane saith he will undertake to Refine the Sulphor for 30s pr 112 lbs. as long as the war last, after that he will Abate in the Price finding themselves, but the workmen must be found.

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*Depositions of Ebenezer St. John and Andrew Ayres against Samuel Townsend.*

[Miscel. Pap. 38: 621.]

NEW MALBURGH, 26 April 1777.

Taken up by Lieu[t] Potter and brought before the Committee of New Malburgh, Samuel Towndson.

Apeared Personly before this Committe Ebenezer St. John, and made oath that he heard the said Samuel Townson say that after being warned he Did not Care for their orders and would not be Running after their Damn Nonsence, he was ask[d] if

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he was not willing to obey orders, and he Swore he would not, and Rode Round Mr Fryer that was Discoursing with him in a way of Ridicule and ask^d the said Fryer if he was not ashamed of going upon such a Foolish Errand, as he had been to alarm the Co^ll and inhabitants Concerning those Tories now gone off, he said if he alarmed five hundred he would not be able to take them, Andrew Ayres standing by told the said Townsend that he would take them with twenty-five men if he could come at them, and said Townsend told Ayers that he might take twenty-five of the best of his Dam'd Whigs, and he would bring twenty-five men that should meet him upon Lattentown plain and fight it out with him, and insisted upon Ayres Entering into bonds to meet him which Ayres did not Chuse to do. And further this Deponent Saith EBENEZER ST. JOHNS.

Personly appeared before this Committe, Andrew Ayres and made Oath and saith, that as he was discoursing with Mr Fryer Concearning the Toryes Shooting Jonathan Trewilliger and taking the said Fryers Brother, the said Townsend being present was ask^d by Fryer why he did not Come to asist to take them, he told him he was warned to appear, but not when nor he Did not care when, the said Townsend demand of Fryer where he had been, and he said Townsend told him he had been to alarm the County, and he said that five hundred would not take them, the said Ayers told him that he would engage to be one of the five and twenty that would take them, the said Townsend said that he would take man for man or he might take twenty-five of the best of his Whigs, and he would take as many Tories and meet him on the Plain at Latten Town and Fight it ought for which he offered to Stake money or draw Bonds for fifty Pounds. And further saith not. ANDREW AIERS.

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*Petition of William Makdurmit.*

[Miscel. Pap. 38: 645.]

Honorable Congress: I take this opatunety to Let you No my Distrus I am hear Confind and Not Abel to help my Self and if the honorable Congress will Not take pitty on me hear Sun I must suffer and perris with hunger For I have got no money nor no way to get any hear For I am pour and Nedy god is good and grasus and I hope you are of the Same Fraim of pitty For my wife Cannot fead my pore children at home Now gentelman I Lay to your mercy and Discresson For I have not one mouthful to Support my Natur.

April the 27 Day 1777. WILIAM MAKDURMIT.

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[Miscel. Pap. 37: 697.]

Fort Montgomery 27th April 1777.

General Orders:

It is Essential to the safety of this Post that Colonel Pawling & Colonel Snyders Regiments be immediately compleated to their full Compliment of men which being the Case will supercede the necessity of calling out any further Part of the Militia in this busy season of the year. It is therefore ordered in the most express and positive Terms That the Colonels or commanding officers of the Militia Regiments do forthwith furnish their respective Quotas of men as fixed by the order for raising and marching the above two Regiments to this Post and that they also return Muster Rolls of their said Regiments to the General agreeable to said order to prevent Fraud or Collusion which if detected will be most severely punished and that they take proper measures for punishing every officer commanding a company who shall neglect or refuse to furnish the Quota of men for this service assigned to their respective companies and to compell those who are draughted to join the Regiment or companies for which they are so draughted and as many of the men belonging to said Regiments now at this Post being principally persons hired by others who

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were draughted are without arms & otherwise unprovided It is Ordered that the Persons who were so draughted do immediately provide and deliver arms and accoutrements to those who they have so hired or in failure thereof they immediately be brought to this Post to perform their own duty.

ALBERT PAWLING, *Major of Brigade.*

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*Representation of the Committee of Orange County.*

[Petitions, 33: 732.]

To the Honb^le^ the Convention of the State of New York:

The Representation and memorial of the Committee of Orange County, Humbly Sheweth,

That the Militia of this County have frequently been called out on public service, and we were formerly much pleased in observing that they marched with chearfulness. That of late a reluctancy hath appeared which hath given us much uneasiness. That at first your memorialists were at a Loss rationally to account therefor, Then and still believing that it did not spring from disaffection to the grand cause. That after mature deliberation they have judged the following reasons may be assigned, Viz That the Militia hath not yet received a reward for past services, 2^d^ly That the pay allowed is not sufficient for the support of a poor family, which is to be maintained either by some Trade, by days Wages, or agriculture on a small and rented Farm, especially if the person Renting must be called away at the very season when Business can only be done to purpose. That your memorialists do jude the pay of the Militia is by no means equal to the Continental Troops as the latter have a Bounty, Cloths & the former barely their wages & Provision and many times so poorly served with Provision as to make it unavoidably necessary to spend considerable money. That your memorialists believe it essentially necessary to keep up the spirit of the Militia and to prevent families as much as possible from distress. That they most earnestly request the Honb^le^ Convention to take the premises into Consideration, and grant such relief as the nature of the Case and your Judgment shall direct. That they wish health and prosperity to the Honb^le^ Convention and beg leave to subscribe themselves

Your Most Obed^t^ Humble Servt^s^

Signed by Order of Committee. ELIHU MARVIN, *Chairm^n^*

GOSHEN, 28^th^ April, 1777.

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*Petition of Inhabitants of Newburgh.*

[Petitions, 33: 568.]

To the Honorable the Convention of the State of New York:

The Petition of the subscribers, Freeholders Inhabitants and Principle Friends to Liberty in the Precinct of New Burgh Most Humbly Sheweth,

That your Petitioners Taking into their serious consideration the Nature and consequence of your last Resolve for the Disposeing of the Tory Property in this Precinct as matters may hereafter be circumstanced are much alarmed and Dissatisfied as your Petitioners humbly conceeve it may Effect their Interest in a Most singular manner. That there is Near 50 Tories Heads of Families in this small Precinct who are either with the Enemy or in Prison whose property is seazed and to be sold on Monday next. That in case this property is sold and only a few months Provisions left for the support of their families from which it is taken, Those families or the greatest part of them will soon become a charge to this precinct. That your Petitioners whould not by any means be understood that they have any objection to the seazing and secureing this property but think it perfectly just and Equitable, But at the same time are clearly of opinion that your Honourable

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House ought to pass a Resolve either to send those Tory families immediately within the Enemies Lines or provide that in case they shall become chargeable in consequence of this Proceedure that they shall be maintained by the State and not the Precinct. That your Petitioners are under the Necessity of urgeing this measure at Preasant, the more so as it is But a few Days Before your House must Disolve of Course and a Future Legislature may Not think proper to take the Matter up. That your petitioners Humbly conceive that the Leaving as much as the said Property unsold such as sheep, Cows, Teams, Farmers' Utencials, &c to each Family as may with their Industry be sufficient for their own support (would in the opinion of your humble Petitioners) be by far the most Prudant measure and at the same time Let it be considered the property of the State and let them know that they are only to make use of the same for their maintenance and that during the pleasure of the Convention or a Future Legislature and in order to secure the same let it be under the care of and Inspection of proper Persons appointed for that Purpose who may be Residents in the Precinct. Your Petitioners therefore pray that your Honourable House will take the matter into consideratiou and make such Provisions in the Premises as may have a Tendancy to Ease the minds of your Petitioners from those Dangerous consequences grounded upon the principle aforesaid, and that a matter of so much importance may not be neglected and passed over by means of the multiplicity of other business on your hands, we have Delegated the bearers Hereof Coll. Thom^s Palmer & Lieu^t Wolvert Ecker to whate on your House with this Petition with whome we Beg the Honorb^le House will confer as They may more Fully Demonstrate our Apprehentions and by whome we flatter our selves we shall be Indulg'd with a Favorable answer and your Petitioners will ever pray.

| | | |
|---|---|---|
| Jont^n Hasbrouck, | Burroughs Holmes, | Reuben Tooker, |
| Thomas Palmer, | Arthur Smith, | James Harris, |
| Wolvert Ecker, | James Denton, | John Fowler, |
| William Lawrence, | Abel Belknap, | David Mills. |
| Sam^l Clark, | Joseph Coleman, | |

New Burgh, April 29th 1777.

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*Examination of Tories.*

[Miscel. Pap. 37 : 49, 54.]

At a meeting of the Committee of the Precinct of Shawingunk the 30th day of April 1777 at the house of John Grahams Two Certain Tories Belonging to the Company that Lieu^t Jacobus Rosa of Marbletown led along through this place in order to go to New York were taken up and brought before this committee and Examined as followeth:

Examination of Jacob Davis who saith that on Wednesday the 23^d inst Jacob Middagh and some others came to his Fathers House and asked him whither he would not go with them to New York to join the Regulars to which he consented and agreed to go with them and immediately proceeded to get Ready and that his Father Provided him provisions and other necessaries he Wanted on his march and that they went that night as far as Shocon and the next Day on Thursday they march to near Marbletown at the Jagh Criplebush and stopped a little at Abraham Middagh's and went from thence to Richard Oakleys where they came at about nine o'Clock in the Evening and Tarried some time at his house and then went along as far as W^m Woods in the Coxing Clove where they were met with Samuel Fraleigh, James Jones & a Regular officer who told them that they was going along with them in the morning & that they lodged that night at s^d W^m Woods and in the morning crossed the mountains together to near the Widow Bevier in the New Paltz Precinct when Lieut Jacobus Rosa and Jacob Middagh went to the widows and shortly after Returned. then they went along and was Piloted by Wouter Sluyter to Cornelius Dubois at the Walkill and acrossed it where they took Joseph Frier and John Vanvliet Prisoners and after some Discourse between Lieutenant Rosa and said Vanvliet Lieut Rosa let him go and said that Vanvliet was a good



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man and that he would not keep him Prisoner and marched on that night as far as Alick Cambles where they Tarried that Day and in the Evening went a little farther to a Barn of Arthur McKinneys where they Lodged that night and Tarried there abouts the next Day & Night that while they was there Samuel Fraleigh, James Jones and the Regular went to Major Coldens and after some time Samuel Fraleigh Returned again and told them that Major Colden told him that he Thought it would be Impossible for their Company to get through to the Regulars on account of the Guard and that from that time he saw no more of Sam[l] Fraleigh, James Jones and the Regular Officer and on Monday Morning went on their Journey and about 12 O. Clock got on a Large Hill at or near the Clove where they was attacked that afternoon by the Militia and that he and four made their Escape but that three of them did not come far back with them in Company and that he does not know what become of the Rest of the Company.

Examination of Andries Longyear who saith that on Wednesday the 23[d] Instant Jacob Middagh & another man came to his Fathers House & asked him to go along with them to New York to the Regulars for the Regulars was to come up this way soon & that they would then come along with them & Drive the Inhabitants Before them & take their Estates from them, then concluded to go along with them, & got myself ready and went with them to Samuel Davis's and his Son Jacob joined us and that night went as far as Shocon and on Thursday they went along to near Marbletown, and in the night went to Richard Oakleys where they Tarried some time and went from thence to William Woods in the Coxing Clove where they Joined Lieut. Jacobus Rosa and a number more who were a going off in the morning where they Lodged that night, and in the morning of Friday they together went on their march and Cross'd the mountains and came to near the Widow Beviers in the New Paltz Precinct from whence Lieut. Rosa and Jacob Middagh went to the widows but soon Returned again and Wouter Sluyter with them to Pilot them across the Wallkill, and then Marched along to Cornelius Dubois where they cross'd said Kill & then Sluyter went home again & that they took the Guard that was placed by the Canoe Prisoners, and after some Discourse Between Lieut. Jacobus Rosa & one of the Prisoners he had took, let him go and said that he know'd him and that he was a good man, and marched that night as far as Alick Camels and Tarried there that Day & in the Evening went a Little further to a Barn of Arthur McKinneys where they Lodged that Night, and the next Day and Night, & said Arthur McKinney while they lay there, Brought them Provisions, and on Monday morning marched on and got as far as the Clove on a large Hill where they was attacked by the Melitia, and that he and four more of them Escaped from them & what became of the rest he did not know.

Note the above Examinants also say that when they let the Prisoners go that they took across the Kill, that they took his arms from him and swore him not to tell on them, and that they took more Guns at the Kill of other men that was comeing to the Kill whom they shot upon.

The within Examinations was taken before the Committe of the Precinct Shawangunk the 30[th] Day of April 1777. By order of the Committee,

CORNE[s] C. SHOONMAKER, *Chairman.*

[Miscel. Pap. 38: 167.]

April 30[th] 1777.

Corn[s] Sammons being examined—Says he knows Jacobus Rosa, Jacob Midagh, Andries Keyser, Negro of Gysbert Rosa, John Rapelja, John Van Vliet, Silvester Vandormerken, Hendricus Crispell, William McGinnise, Cornelius Fotlear, —— Hinpagh, William Tiesh Jun[r], John Stokes, William Kelder, Jacobus Senigh, Thomas Cruispell, —— Merkell, son of William, —— Longjear, three from Schoherry, Frederick Keyser.—that he was w[th] those Persons on his way w[h] them to New-York—that he escaped from them—that he was taken Prisoner by them—carried near Major Coldens & then escaped with one Kelder a Boy—that they took him near Jacob Seely's at Marble Town—that his Brother was gone before him—that Capt. Schoonmaker called him out to detect Tories.—that being apprehensive

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that his Brother was among them, he could not bear to go lest he might be obliged to fire upon his Brother or his Brother upon—that he then step'd on one side in the woods where he met with Jacob[s] Rosa & the other Persons who took him & obliged him to go with them—that there were 36 men together w[th] Rosa—that 3 of them were from Schohare who he did not know—that in crossing the Hill Jacob[s] took a man Prisoner who was placed there as a Guard & obliged him to take an Oath that he would not inform against them & then let him go.—being asked why those persons went off to the Enemy—he answered that he tho't the Gov[r] of New York could be easily conquered for that the Tories themselves could conquer it.—That they got Liquor when in the Swamp near Coldens—That a man who he did not know bro't it—that he knows not from whence—that he was a wel set man & an Englishman—that the Swamp they lay in is about 1½ mile from Widow Grahams—that the man who bro't the Liquor came to them twice—that he wore a Short Jacket—that the first time he came only to see them & bro't the Rum the 2[d] time.—That he has not heard Rosa say thing ab[t] his future Intentions except that the Regulars would be up soon by land and water—& that as so many deserted from here they would not have much fighting—that they would come by land by the way of Goshen—that he expected they would be up by the beginning or middle of May—that Rosa supposed a part of the Army would stay in Jersey to oblige Gen[l] Washington to stay there while the rest of the Army came up this way.

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*Petition of George Robertson.*

[Petitions, 33: 722.]

To the Honourable the Representatives of the State of New York in Convention Assembled.

The petition of George Robertson of Little nine partners Dutches County & State of New York, Humbly Sheweth,

That y[r] petitioner about a Fortnight ago agreed with one Wilhelmus Maracle of Schendecan for a Farm he had at Shokon in the Township of Marbletown & County of Ulster & was to pay the sum of ninety pounds at the time of Receiving the writings for the same, since which the said Wilhelmus Maracle is taken up and confined in Goal.

That the said Wilhelmus Maracle is Willing and Ready to execute the Deeds for the said Land, But y[r] petitioner therefore being Doubtfull to Receive the said Deeds without the approbation and Consent of this Honourable Convention, that the said Wilhelmus Maracle may Execute the same.

That y[r] petitioner has been at work upon the Land ever since the agreement and should y[r] petitioner be deprived of getting the Deeds before Tuesday next the said Farm will be sold by virtue of a mortgage which the Loan Office has upon the said Farm, and y[r] petitioner will not only be deprived of his Bargain but lose his Labour which would be extreamly hard and unreasonable. Y[r] petitioner therefore humbly prays that the Honourable Convention would be pleased to take the premises under their Consideration so as that the said Wilhelmus Maracle may be permitted to Execute the Deeds & y[r] petitioner possess the Land, or such other Relief as to this Honourable House shall seem meet. And y[r] petitioner shall ever pray.

KINGSTON, April 30[th] 1777. GEORGE ROBERTSON.

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*Petition of Samuel Townsend.*

[Petitions, 33: 726.]

To the Honourable the Representatives of the State of New York, In Convention Assembled:

The Petition of Samuel Townsend of Old paltz precinct, County of Ulster & State of New York Humbly Sheweth,

That y[r] petitioner is at present Confined in the Common Goal of Kingston for

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Being thought unfriendly to the American States. That y^r petitioner some few Days ago went from home upon some Business & happen'd to Gett a Little Intoxicated in Liquor, and upon his Return home Inadvertantly fell in Company upon the Road with a person unknown to y^r petitioner & Discoursing & Joking about the Tories passing through there & Escaping this person says to y^r petitioner that if he had been with the whigs they should not have Escaped so, Intimating and by way of Boasting, that he would have Done Great Feats as a Tory could not look a whig in the face to which your petitioner being merry and in Liquor, Wantonly and in a Bantering manner told him that in the Lane through which they was then Riding five & twenty whigs would not Beat five & twenty Tories & Joking together they parted & y^r petitioner thought no more of itt, since which he has Been taken up and Confined, as he supposes for the above joke. Being conscious to himself of his not committing any Crime or of being unfriendly to the American cause, worthy of punishment. That y^r petitioner is a Sergeant of the Militia, and has always Done his Duty and always paid his part towards Raising of men, and has serv'd in his Turn when the Militia has Been called upon and ever has Espoused the American Cause, And Done his Duty at all times when able, which if it was thought necessary y^r petitioner can Gett the officers of the Company to which he Belongs to vouch for the truth of the same, as well as his neighbours. That y^r petitioner is Extreamly sorry for what he may have said and hopes his Intoxication & Looseness of his Tongue will Be forgiven by this Honourable Convention as it would not have been expressed by him in his sober Hours. That y^r petitioner has a wife and two Children and a helpless mother, all which must Be supported by his Labour & should he be kept confined at this time his family must unavoidably suffer through want as y^r petitioner is but of Indigent Circumstances, and humbly concieves it is Extreamly hard to keep him confined to the Great Distress of his family as well as Grief to y^r petitioner. Y^r petitioner therefore humbly prays that this Honourable Convention would Be favourably pleased to take the premises under their most serious consideration so as that y^r petitioner may be relieved and Discharged from his Confinement or such Relief as to this Honourable House shall seem meet. And y^r petitioner shall ever pray,

KINGSTON GOAL, April 30^th 1777. SAMUEL TOWNSEND.

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*Petition of Elizabeth Bend.*

[Petitions, 33 : 694.]

To the Honb^le the Convention of the State of New York,

The Petition of Elizabeth Bend of Fish Kill, Dutchess County, but formerly of New York, Humbly Sheweth,

That your petitioner having a parcell of goods taken in charge by the Commissioners appointed by this Honb^le House supposed to be the property of your petitioners Son Grove Bend of New York. Your petitioners Daughter Elizabeth Haight petitioned this Honble House a few days ago on the same subject to which this Honb^le House thought proper to give no answer, wherein your petitioner offered to declare upon oath, Likewise the oath of her Daughter Elizabeth Haight that the Goods are your petitioner's, and that Grove Bend has no Interest in them, since your petitioner has found three Receipt Books which your petitioner conceives will strenthen the oath of your petitioner and prove that there was never every thing bought, Neighther paid for, but was in the name of your petitioner, and receipts for goods which are absolutely in the hands of the Commiss^rs which can be proved by an Honb^le Member of this House M^r James Beekman who your petitioner has Dealt with for some considerable sum, your petitioner was sensible that every thing belonging to persons in New York was taken in charge and sold for the use of the State, but your petitioner being sensible no such thing could happen to her, or Else your petitioner could have smuggled so small a parcell of goods, so that the State

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could never have come at them, as Mr Egbert Benson acquainted your petitioner that there had been an Information lodged six or seven weeks before your Petitioner Exposed the Goods for sale, the same Information was given by one of the Commissrs Doctr Van Wyke. Your petitioner prays this Honble House to obtain a permit to redeem the Goods out of the hands of the Commissrs where there is so little reason or justice in stopping them, and grant your petitioner such relief as this Honble House should think fit, And your petitioner as in duty bound shall ever pray, ELIZABETH BEND.

FISHKILL, April 1777.

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*Suffolk Plan of Government.*

[Miscel. Pap. 36: 464, 467.]

1. The Colony Establishment should vary from the old one by a very few alterations.

2. Nothing to fear from an Assembly of fifty or sixty Members in no permanent Office of Power, and annually elected, only by Freeholders & by Ballot.

3. A Council of 20 Members to be elected by the Assembly (or out of the Assembly) during good behaviour, who should have real Estate to the value of £10,000. Freeholders and stated Residents of the Metropolis at least 7 months in the Year.

4. The Governor to be elected by Ballot out of the Council by a majority of the Two Houses every three Years.

5. These Three Estates to have their former Power, Executive, Legislative, or judicial, with authority to the Governor and Council to pardon Criminals.

The following to be made fundamental Regulations:

6. The Assembly to be convened at least once every year and not adjourned, prorogued or disolved without advice of the Council.

7. That the Chancellor (who is not to be the Governor) the Master of the Rolls, the Judges of the Supreme Court, Barons of the Exchequer, Judge of the Admiralty, Mayor, Recorder of the City of New York and Albany, hold their Office during good behavior, and that adequate allowances out of permanent Funds be Established for those great and necessary Employments.

8. That appeals lay from the Supreme Court, to the Govenor and Council, in all causes of Error, and from thence (except in personal action of small moment) to the upper House of the American Parliament, to whom appeals should also run from the Exchequer, the Chancery and Admiralty.

9. That the Council and Assembly elect by Ballot, one-half of the members of this Colony for the Continental Parliament out of the Council and the other half out of the Assembly, or State at large.

10. That the Court for trying Impeachments by the Assembly consist of the Chancellor, the Council, Master of the Rolls, Barons of the Exchequer, Judges of the Supreme Court, and Admiralty, and Mayor and Recorder of the City of New York, and ye Governor to have no power to Pardon these Criminals.

1st It should vary by so many alterations, be they more or less, as is necessary to cure all the defects in the old one.

2nd Nothing more to fear from an assembly of 100 Members, annually elected by Ballott, by the Body of the People paying Taxes, out of the same Body.

3rd A council of 20 Members elected annually in the same manner as the assembly and of the same kind of folks, would do full as well.

4th A President to be chosen annually or priannually by the above two Houses, out of a Council of Safety to be appointed the same way, for an executive Body.

5th To have nothing to do with Legislation.

6th The Legislative Assembly and Council to convene upon their own adjournments or those of the former Houses and upon special occasion by the President & Council of Safety never to be dissolved by the President.

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7th The two houses to be the Chancellor, And not such a long List of high-sounding names—which perhaps, will save some of those permanent Funds, for other, tho' perhaps, not so great, yet quite as necessary Employments.

8th A Court of Exchequer we have not, nor do I know of any Barons in this State.

9th That ye Assembly & Council elect by joint Ballot Delegates for Continental Congress out of their own members.

(Indorsed.) "Suffolks Countys plan of Government." (In another handwriting) The above Indorsment is a scandalous Libel upon the County of Suffolk. (Then follows in the same writing as the first) The Truth is, the within plan Transpired from Suffolk Members and nothing appears but it there originated. (To which is Rejoined by the 2d. writer) The Members of Suffolk are able to make the Contrary appear whenever it shall be necessary.

Nothing. Fish kill.

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*Resolutions for raising a Company of State Guards in Ulster County.*

[Miscel. Pap. 39: 544.]

Whereas it is necessary to Raise a Body of Troops for State Guards, to be under the Direction of the Council of Safety or such Person as from time to time may be appointed for that Purpose,

*Resolved therefore* That one Company be Raised in the County of Ulster Each Company to Consist of one Capt two Lt three sertts three Corporals, one Drum or fife and 50 Privates to be Properly accutred With one Gun, one Cartridge Box or Powder Horn and Bullet Bag, a sword or Tommehock, one Blanket—they be under the Continantle Rules and Regulations and be Intitled to Continantle Rations or in the lieu thereof the Capt. 20s., the Lts 16s., and Every Private 14s. a week. That each Private shall be Intitled to a Bounty of twenty Dollars and to Continue in service for one year unless sooner Dischargd

*Resolved* that No Capt be Intitled to pay until he has Inlisted a Sert two Corporels, one Drum or fife and 24 Privates; that No Lt shall be Intitled to pay before he has Inlisted 1 sert one Corporal, and 13 Privates.

*Resolved* that the Committee be furnished With this Resolve and be Desired to Recommend the Officers to this Board.

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*Draft of Pardon for Job Babcock.*

[Petitions, 33: 736.]

To all to whom these presents shall come I Abraham Tenbroeck Esqr president of the Convention of the State of New York, send Greeting.

Whereas Job Babcock an Inhabitant of this State, charged with holding a treacherous Correspondence with the Enemy and with having inlisted into their Service, was on the thirteenth day of April instant convicted of the said Charge by Sentence of a General Court Martial held on the said day at peeks kill in the County of West Chester in pursuance of certain Resolves of the said Convention in such case made & provided and was then & there by the sentence of the said Court Martial adjudged for the offense afd to be hanged by the Neck till he should be dead,

And whereas the said Convention have on this day maturely revised the afd Sentence and have confirmed the same, yet nevertheless have resolved to extend mercy to the said Job Babcock in respect to the Crime afd whereof he is Convict, and have authorized me the said president to issue to the said Job Babcock in the name & by the authority of this the said Convention a pardon of the Crime whereof he has been convicted as afd

I therefore in the Name & by the authority afd Do hereby fully & freely remit &

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pardon unto the said Job Babcock the Crime & punishment wherewith & whereto he stands convicted and subjected as af[d] In Witness whereof I have hereunto set my hand in Convention at Kingston in the County of Ulster this twenty ninth day of April in the year of our Lord one thousand seven hundred and seventy seven.

By Order of his Honor the president.

Secretary.

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*Examination of Deserters from the Enemy.*

[Miscel. Pap. 36: 616.]

Will Grant diserted from the Senegal Sloop of War when she was watering at the City Island; and he came over & landed at New Rochelle; was 21 months on Board was pressed going into Hallifax—served his time out of Shillds—Roger Curtis is a Commander has been 6 months Commander—W[m] Duddington formerly Commanded—that they seldom hear any News on Board—that when any fighting they are told that 3 or 4 Regulars are killed & 3 or 4000 of the Americans are killed. That he is not a Spy and does [not] mean to return if he should he would be hanged—that he is willing to give his Oath that he did disert & does not intend to return—is 27 years old has been 17 years at Sea.

William Currie—followed farming Black Smith & the Sea—belonged to the Senegal—was pressed in Liverpool 20 Leages westw[d] of Halifax & diserted from her. Was near a year on Board—came away with Grant who has lost one of his eyes—often heard of many things on Board the Ship which they have done & many more that they would do—That the Senegal took several prizes—That 3 Days before he came away they had 6 lbs of Soap 1[s] 11[d] in money—That one Haight piloted the Senegal when she took a Sloop loaded with Soap.

2 Two Deckers & a 40 and several frigates at Road Island & a great number of Transports at Road Island—Have taken 2 Vessels in the Sound—1 sloop had rum which the stove and burnt the vessels. Last Spring cruised from Boston Bay to the Bay of Fundy—about 100 fighting men on Board, mostly pressed hands all but ab[t] 20 men.

Christopher Warren late of Capt John Daviss Company formerly of Col Hands Regiment taken in Fort Washington with the Troops which were there Commanded by Col Magaw.

That he was inlisted in Capt Grants Company—The 17[th] 40[th] & 55[th] Regiments were cut to pieces at Princetown as they were informed in the Fort—about 370 men in Fort Independence—that Rogers keeps below the Bridge & one Company with him—That there is two rows of Chieveau De Fries about the Fort—That the Senegal the Rose & Maryland Sloop lay near the City Island—that the Officers are surprized how the provincial stand a Winter Campaign—60 or 70 of the 47[th] Regt of Highlanders killed and 500 Hessians killed at taking Fort Washington—a field Officer of the Highlanders then killed.

Christopher Warren a Soldier of Captain John Davis's Company formerly of Colo Hands Regiment of Riflemen, and since a part of the Troops under the Command of Colo Magaw and taken by the Enemy on Manhattan's Island with a party of those on duty under Insign Ford having lately escaped from the Enemy and gained accession to and protection from the Militia of this State now in service near Kings Bridge has applied to this Committee of Safety for an advance of a little money to support him on his return to his Family in Nannington Township in County of Salem in New Jersey to be hereafter retained by the Continent out of his pay.

Ordered that the Treasurer or Vice Treasurer of this State advance to the said Christopher Warren four Dollars on his receipt and charge the same to Continental account.

Jesse Holmes is Sergeant in Capt Grants Company now in the Country enlisting. Cameron ensign, Thomas Hulet from Oyster Bay, 1[st] Lieut., and one Johnson of Georgia 2[nd] Lieut. in Alex[r] Grants Company. Cameron has a family in this State.

In Campbells Company, Joshua Barnes, 2[nd] Lieut., John or Barney Kean is first

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Lieut. McDaniel, Ensign, a young man. Kean came from the Country on the East side of Hudson River, was a pedlar or shopkeeper, pock pitted, about 5 feet 9 inches high, Brown complexion, dark coloured curled hair—saw him first soon after the Battle at the Plains when he joined the Company.

The 5th 26th and 28th Regiments, suffered at the Plains; the 26th most.

The report of the Committee appointed to Draw Instructions for Commissioners appointed to settle with the Rangers bro't in their report which was read and ordered to lay for Consideration.

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*Petition of Solomon Comes.*

[Petitions, 33: 452.]

To the Honourable Committee of Safety,

GENTLEMEN: I Beg that you would give me the Benefit of the Proclamation and I will prove a good and faithfull and true Subject of the State of New York, and will truly obey my Captain and Du my Duty and Humble beg pardin For my Transacsons that is past, and will Do better for time to Come if you will be pleas to grant me that Liberty. This from your frend and well wiser

SOLOMON COMES.

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*Proceedings of a Court Martial.*

[Miscel. Pap. 37: 203.]

At a General Court Martial held at Fort Montgomery Wednesday April 30, 1777, agreable to the Orders of his Honor Brigadier General George Clinton, dated the said 30th Day of April, for the trial of all such Persons as should come before them charged with Levying War against the State of New York within the same adhering to the King of Great Britain, enlisting soldiers or being enlisted as soldiers in the Service of the King of Great Britain, and owing Allegiance, or deriving protection from the Laws of the said State of New York.

*Present:* Col. DUBOIS, President.

| | |
|---|---|
| Capt Rosecrans, | Capt Concklin, |
| Stewart, | Milligan, |
| Lee, | Vancura, |
| Bevier, | McBride, |
| Godwin, | Dewitt, |
| Nicoll, | Schoonmaker, |
| Tilfard, | Lieut Post, |
| Hardenburgh, | Hunter. |
| Hasbrouck, | Capt Lush, as Judge Advocate. |

The President, Members and Judge Advocate being sworn, Jack a Negro man slave the property of Guysbert Rose was brought before the Court and charged, 1st with Levying war against the State of New York within the same. 2nd with being an enlisted soldier in the service of the King of Great Britain. To both charges he pleads, Not Guilty.

William McGinnis was brought before the Court and charged 1st with Levying war against the state of New York within the same, 2d with being adherent to the King of Great Britain, 3d with being an enlisted soldier in the service of the King of Great Britain when owing allegiance to the State of New York. To all the charges he pleads not guilty & further Ignorance of the Laws & Resolutions by which he is to be tried.

John Van Vliet was brought before the Court and charged 1st with Levying war against the state of New York within the same, 2dly with being adherent to the King of Great Britain, 3dly with being enlisted as a soldier in the service of the King of Great Britain whilest owing allegiance to the State of New York.

To the 2d & 3d charges he pleads generally not guilty but confessed That on

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Schonemuck Mountain he fired at a man on Horseback who first fired at him, that he thought the Man he fired at & others with him were coming to take him, That he was going off with Rose to New York, That when he fired he thought the person he fired at was a subject of the United American States.

Cornelius Furler was brought before the Court and charged 1st with Levying war against the state of New York within the same, 2dy with being adherent to the King of Great Britain, 3dy with being an enlisted soldier in the service of the King of Great Britain whilst owing allegiance to the State of New York.

To the 1st & 2d Charge he Confessed That a man was fired at and wounded by the party whilst he was with them but does not know who fired, That he (the Prisoner) had a gun with him loaded but did not discharge it, That he was going to New York but did not intend to fight against the Americans, That he had powder and Balls with him. To the 3d charge he plead not guilty.

William Teets was brought before the Court and charged 1st with Levying war against the State of New York within the same, 2dy with being adherent to the King of Great Britain, 3dy with being an enlisted soldier in the service of the King of Great Britain whilst owing allegiance to the State of New York.

To all the Charges he pleads generally not guilty but confesses That he was Draughted to serve at the Forts in the Highlands and was going to New York, that he went out to get a man to serve in his place but being afterwards persuaded by Rose he went off with him with an intention of going to New York, that Jacobus Rose had his (the prisoners) gun and loaded it and that he was one of the Party that wounded Lieut. Terwilliger on Friday last—and further pleads Ignorance of the Laws and Resolutions under which he was tried.

Coenradt Mysener was brought before the Court and charged 1st with Levying war against the state of New York within the same, 2nd with being adherent to the King of Great Britain, 3dy with enlisting himself as a soldier in the service of the King of Great Britain whilst owing allegiance to the State of New York.

To all the charges he pleads generally not guilty but Confesses That he had a gun with him which was loaded with Ball & Powder but not primed but he had more powder with him, that he was with the party one of whom wounded Lieut. Terwilliger and that he was going to New York with Rose and further pleads Ignorance of the Laws & Resolutions by which he was tried.

Andreies Keyser was brought before the Court and charged, 1st with Levying war against the State of New York within the same, 2dly with being adherent to the King of Great Britain, 3dly with being enlisted as a soldier in the service of the said King of Great Britain whilst owing Allegiance to the State of New York.

To all the Charges he pleads generally, not guilty, but Confesses that he was one of the party who wounded Lieut Terwilliger, that his (the prisoners) Gun was loaded with Powder & Ball, but he had no more ammunition with him, That he went off with Rose by Perswasion, and further pleads Ignorance of the Laws and Resolutions under which he was tried.

John Rapalje was brought before the Court and charged, 1st with Levying war against the State of New York within the same, 2dly with being adherent to the King of Great Britain, 3dly with being enlisted as a soldier in the service of the King of Great Britain whilst owing Allegiance to the State of New York.

To all the Charges he pleads Generally, not guilty, but Confesses that he was one of the party one of whom fired at and wounded Lieut Terwilliger, That he had a Gun loaded with Powder & Ball, and had no other ammunition with him, that he was draughted to serve as a soldier in the Forts in the Highlands, but was prevented from going by sickness, That before he went off with Rose, Rose came to him and asked him if he would go with him and see his (the prisoners) Brother, that he consented to go with Rose but did not know his Brother was amongst the Regulars, that after he proceeded part of the way Rose informed him that his Brother was at Long Island, upon which he (the prisoner) refused to proceed any farther, but Rose told him if he did not go with him he would shoot him, that the Reason why he took his gun with him was that after he had seen his Brother he intended to join our Forces at the Forts in the Highlands.



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Silvester Vandermark was brought before the Court and charged, 1st with Levying war against the State of New York within the same, 2dly with being adherent to the King of Great Britain, 3dly with enlisting as a soldier in the service of the said King of Great Britain.

To all the Charges he pleads generally, not guilty, but Confesses that he was one of the party who wounded Lieut Terwilliger but was not on the same side of the creek when the Lieut was wounded, that he (the prisoner) had a Gun loaded with Powder & Ball, that he had a Ball or two and some Powder more, that he and Van Vliet lay to gather, that some men on Horses at Schonemuck fired at him upon which he run and the men on Horses fired again at him, and he and Van Vliet turned and fired at those men, that he (the prisoner) loaded his gun again, that he was going to Long Island with Rose, but did not know it till after he had been out some time and then he wanted to return, but Rose would not permit him.

The Court having sat till 3 o'clock in the afternoon and the guard house being crowded with Prisoners, and the Court resolving that an immediate Example was necessary and requisite to deter our intestine Enemys from continuing their Treasonable Practices against this State, and it being also probable that this Post would soon be besieged by the Enemy. The Court adjourned to 5 o'clock this afternoon.

Wednesday afternoon at 5 o'clock the Court met agreeable to adjournment.

Jocobus Rose was brought before the Court and charged, 1st with Levying war against the State of New York within the same, 2dly with adhering to the King of Great Britain, 3dly with enlisting men in the service of the King of Great Britain, 4thly with being enlisted in the service of the said King of Great Britain whilst owing Allegiance to the State of New York.

To the 1st 2 & 4th charge he pleads guilty & to the 3d not guilty and confesses That one Daniel McGiven a Captain in Colo Fannings Regiment told him that every man who engaged in the Kings service should have 100 acres of land and each of his children 50 and should receive 5 Dollars Bounty and Pay from the time of his Enlistment to the Time of his Discharge, & a suit of Clothes, that McGiven told him he had enlisting orders & desired him to go with him to New York & he the Prisoner went accordingly with him, That he was a soldier in the Regiment in which McGiven had a Company and of which Colo Fanning was Col, that he went with McGiven to New York and from thence to Jamaica, That he drew in New York for one day two Pounds of Bread, one Pound of Pork, Peas, Butter & Rice, That he received a Half Johannas from Capt. Depeyster to recruit with, that he was to have 3 Dollars for each man he brought with him and who should enlist, That John Van Vliet, Cornelius Furler, Sylvester Vandermark, Andreies Keyser, John Rapalje and Conradt Mysener promised to enlist with him when they came to New York, That he was with his party when Lieut. Terwilliger was wounded but on the other side of the Creek, that he took away a gun from one of our Centinels at the Wallkill (one Freer) & then sent him away, That he told the Men he engaged to enlist that Col. Fanning told him that they had only their own Government to Clear, That Governer Tryon was to be their General, That he gave orders to his men to load their guns and Defend themselves if necessary, That the second Time he went to New York he carried 17 men with him, 5 or 6 of which enlisted with Col. Fanning, That he had 33 or 34 men with him at this time, That he left New York about 20 Days ago.

Jacob Middagh was brought before the Court & charged 1st with Levying war against the State of New York within the same, 2dy with adhering to the King of Great Britain, 3dy with enlisting men in the service of the said King of Great Britain, 4th with being enlisted in the service of the said King of Great Britain whilst owing allegiance to the state of New York.

To the 1st 2d & 4th Charges he pleads guilty, to the 3d not guilty but Confesses that Jacobus Rose, Guisbert Rose, John Ernest and James Van Wagenen asked him if he would not go with them to New York to the Regulars as he was a poor man it would be a great Deal in his way that he understood he was to enlist only if he was willing to do it & found a good chance, that he did enlist but did not get

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his Cloaths, that he was offered a shirt & Trowsers but would not take them choosing to have all his Cloaths together, that he was enlisted in Capt. McGivens Company in Col. Fannings Regiment, that he could get no work and was obliged to inlist or starve, That he went to New York with Rose in his first Party, That he had a promise of 5 Dollars Bounty and a Dollar to Drink the Kings health and a Suit of Cloaths but never received either, That an officer (the day before he the Prisoner was enlisted) gave Capt. McGiven a piece of Gold and desired him to treat his men with it, that their Regimentals were to be red with Blue and they were enlisted till the government of New York was conqu'red which they thought would be about Harvest, That when he enlisted he took an oath to be true to King George.

Jacobus Longyaer was brought before the Court and charged 1st with Levying war against the State of New York within the same; 2d with adhering to the King of Great Britain; 3dly with being enlisted in the service of the said King whilst owing allegiance to the State of New York.

To all which charges he pleads generally not guilty but Confessed that by Rosies perswasion he went with him with an Intention of Going to New York. that if he enlisted he was to have 100 acres of Land for himself and 50 for his child. That Rose informed him he should be home again in a Months Time for that the Country would then be over run. that he was to be in Col Fannings Regiment. That he had a Gun with him loaded with Ball & powder & that he was with the Party when Terwilliger was fired at and wounded. That he had some more Balls and powder besides what he had in his Gun.

The Court then resolved in order to obtain further Evidence against the prisoners that Hendrick Crispell who had offered to Confess all he knew respecting their Treasonable Practices and appeared to have Experienced a severe repentance for the crimes he had Committed be acquitted & received as a witness for the State of New York.

Hendrick Crispell being duly sworn deposeth & saith that lying in Bed at his own House some Person came and knocked at the Door. that opening the Door Jacob and Abraham Middagh and Jacobus Davis Junr came in. Jacob Middagh told Depont that they come for to fetch him. Deponent asked them where they wanted to carry him. they informed him that Col Fanning had sent them to bring in such persons as were willing to go to New York. that there was a Proclamation from the King that such as were his friends should come in and those who did not when the Regulars got Possession of America should find no mercy and if he would go he must make himself ready and go there or he must expect no mercy for the Regulars would hang Depot or carry him out of the Country. that we are all rebels against the King and desired the Dept to go and see if his Brother was not inclined to go along with him. That Dept accordingly went to his Brother Thomas and told him all that Middagh had told him as before related. That Dept told his Brother he thought it was hard to be hanged for what they could not help and if he had a mind to go along he the Deponent would also go. That Deptes Brother said if Dept would go he would also go. That before Dept went to his Brother the Middaghs and Davis went off. That the next night Jacob Middagh came again to Dept House and told Dept when he came to Col Fanning he should have their choice they might work and should be paid for it or might take arms in which case each man should have two Pair of Stockings a Pair of Shoes a pair of Breeches and two shirts and Coat or red jacket Dept does not remember which and a Waistcoat and the arms they brought with them should be laid in the stores and those that were willing might sell them and if they enlisted they should Draw arms. That they would not force or persuade any person to enlist that was unwilling. That those who should enlist should have 40s. hard money as a Bounty. That in about Three weeks they should be in possession of New York and perhaps it might be a little longer. That a Certain Day in the month of May thinks about the 5th or 6th the Regulars would begin. That all their armies would then be ready. that they now laid still. That the Northern Army and Southern Army were to meet. That they were so very strong that the war would be short and they would soon join their two armies. That Johnson was getting the Indians in readiness for that

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Time. That America was almost surrounded and the Indians would all come Down and assist the King. That Jacob Middagh then left the Dep$^{t}$ & the Dep$^{t}$ went again to his Brother and told him if he was willing to go with Dep$^{t}$ he must make himself ready. That his Brother accordingly did so and come to Dep$^{t}$ and Dep$^{t}$ and his Brother went to Jacobus Davis where Jacob Middagh had appointed them to come. That Jacobus Davis, James Merkell, Petrus Bush, Jacob Furler, Coenraadt Missner, Cornelius Furler, Jacob Longyaer, Jun$^{r}$ and Andries Longyaer were at Jacobus Davis's when Dep$^{t}$ and his Brother came there. that they were all armed except Jacob Middagh and had all ammunition. That this Depon$^{t}$ and his Brother had also arms & ammunition. That they had all Provisions for 3 4 or 5 Days. That Dep$^{t}$ and his Brother went to Davies's about Breakfast Time. That they all then proceeded from Davies's thro the woods to Abraham Middaghs at Marbletown. when they come there it was some time in the night. That Jacob Middagh asked Abraham and George Middagh to go along but they refused. That they then went from Marbletown acrost the Fields and did not stop till they came to the House of Daniel Irvin a schoolmaster in Marbletown. That Daniel Irvin was at home and soon after they came there (which was about at 8 o clock) the People of the House being all in Bed except Irvin, Jacobus Rosa came there having only a Cudgel in his hand. That they then went off with Rosa and Irvin and W$^{m}$ M$^{c}$Ginnis acrost the public Road and crost Rondout creek some in canoes and some wading over and stoped at a House. knows not the Persons name. that before they came to the House they went over a small creek. that they went into the Barn of this House. that when they came into the Barn Jack the negro man of Gysbert Roper, John Van Vliet and W$^{m}$ Teets were there and thinks Silvester Vandermerk & John Rapalje were also there. That just before Day they all went up into the mountain and Vandermerk and Rapalje were there with them. That they laid among the rocks. that John Van Vliet and Silvester Vandermerk were armed. That Rapalje had sometimes a gun and sometimes not. That they then went thro the Shawngonck Mountains. That in the Shawngonck Mountains a man came to them armed and told them that there were scouting Parties out to apprehend them, that there Dept and the rest of their Party came oposite to the Paltz and there remained till near night and come near the Wallkill and Rose left them for a little Time and Returned, That Rosa went unarmed leaving his Gun with the Party, that when Rosa returned they went off and by Rosa's order proceeded to the Wallkill where they were hailed by a Centinel Rosa answered a Friend went up to the Person and took his gun from him and took the Man along with them, That he believes the Man who Rosa took Prisoner was one Freer, That two men on Horseback came up and asked who was there, That Dep$^{t}$ answered Friend, that Jacob Davis took hold of the Bridle and the Man on Horseback who was afterwards shot in the arm, That the other Horseman was about 10 or 12 yards from Dep$^{t}$, That Dep$^{t}$ took Terwilliger by the hand and while he held his Hand he heard the Report of a Gun upon which the Horse Jumped and the man fell off the Horse and the Horse went off and upon Dep$^{t}$ returning to look for the man he could not find him, That the two men and Horses were then gone and Rosa returned and made Freer swear that he would not Discover anything he had seen or make known the Persons of the Party and gave Freer his Liberty taking his arms from him, That they then left the Walkill and went to the Public Road and passed a man with a waggon, That soon after they went on and left a man asleep who soon after joined him without his Gun having thrown it away for fear of being discovered, That they walked till the Cocks crew, this was Saturday, they came to a house and Rosa went in, that they then left the house and went into the woods and there remained all Day, That a Regular officer came to them at Marbletown and was with them on Thursday or Friday, That the officer had a handkrf in his hand, That the officer informed Dep$^{t}$ that the Regulars were to attack a Fort to the Northward on Sunday last and that they would attack Fort Montgomery soon and would also in a short time be in Esopus and a large Army of Regulars would come thro Minisink, That a Stranger who lived above Albany with a short Jacket and old blue Coat told Dep$^{t}$ that the Regular officer had come with Dispatches from the Northward, That the Party on Saturday night

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come to a House and soon after left it and laid all the next Day (on Sunday) under a Brush Fence, That the Regular officer had only one Eye and left them soon after he joined them and was on Foot, That on Monday they came to a Field where a Negro Man was working and passed thro a creek and went up a Mountain and afterwards thro clear Land and over two Mountains near settlements, Rosa then desired men to set down that he would go and see where they were and Rosa & Jacob Middagh went off for about half an Hour and Dep$^{t}$ heard soon after the report of four Guns and then two more and some Horsemen came up and Dep$^{t}$ run off immediately and then after Dept with Roppalje and another of them went to see if any of the party were killed, That John Van Vliet and Sylvester Vandemerk told the Dep$^{t}$ that after the men on Horseback had fired they both returned the fire, That he heard one of the men on Horseback call out lay down your arms, keep them in your Eye, that Van Vliet and Vandermerk then run off and Dep$^{t}$ also, that Dep$^{t}$ missing his Brother returned but saw no Person and found a pack of one of the Party and soon after saw M$^{c}$Ginnis lying on his Belly and calling to him M$^{c}$Ginnis came to them and they looked for the rest of the Party but could not find them, they then saw five men with Guns who passed them, when Dep$^{t}$ came to the Public Road Dep$^{t}$ advised them who were with him to give themselves up, That they saw five or six Men with Guns and gave themselves up to those men who took their arms away and made them Prisoners. Cornelius Furler, John Van Vliet, Sylvester Vandermerk and John Rapalje were then with Dep$^{t}$, that M$^{c}$Ginnis was not with them and left them a little time before.

The Court then Resolved that William M$^{c}$Ginnis, John Van Vliet, Cornelius Furler, William Teets, Coenradt Mysener, Andries Keyser, John Rappalje, Silvester Vandermark, Jacobus Rosa, Jacob Middagh and Jacob Longyaer were guilty of Levying war against the State of New York within the same, and also of adhering to the King of Great Britain whilst owing allegiance to the State of New York, and further that Jacobus Rose was also guilty of being an enlisted soldier in the service of the King of Great Britain and also of enlisting soldiers for the service of said King whilst he owed allegiance to the State of New York, and further that Jacob Middagh is also guilty of being an enlisted man in the service of the King of Great Britain whilst owing allegiance to the State of New York af$^{d}$, and it is further resolved that the said William M$^{c}$Ginnis, John Van Vliet, Cornelius Furler, William Teets, Coenradt Mysener, Andris Keyser, John Rapalje, Sylvester Vandermark, and Jacob Longyaer are not guilty of being enlisted soldiers in the service of the King of Great Britain whilst owing allegiance to the State of New York. It is further Resolved that Jack the Negro man slave of Guysbert Rose be acquitted no materrial Evidence appearing against him.

And the Court do adjudge that the said William M$^{c}$Ginnis, John Van Vliet, Cornelius Furler, William Teets, Coenradt Mysener, Andries Keyser, John Rapalje, Sylvester Vandermark, Jacobus Rose, Jacob Middagh and Jacob Longyaer do suffer the Pains and Penalties of Death by being hanged by the Neck untill they are Dead. But in consideration of the Extreme Youth of William Teets & it appearing that he had been deluded, his severe compunction for his crimes, his apparrent Ignorance and his Willingness to enter into the service of his Country, this Court do recommend him as a proper object of mercy.

The above minutes being Examined by the Court ordered that the same be signed by the President and Judge Advocate.

By Order of the Court,

LEWIS DUBOYS, *Coll., President.*

STEPHEN LUSH, Capt., as Judge Advocate.

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[Miscel. Pap. 39 : 31.]

FORT MONTGOMERY, May 1, 1777.

Court Mett According to adjournment from yesterday.

*Present:* Col[l] DUBOIS, President.

| | |
|---|---|
| Capt Roseekrans, | Capt Coneklin, |
| Stewart, | Milligan, |
| Lee, | Van Cura, |
| Bevier, | M[c]Bride, |
| Nicoll, | Dewitt, |
| Tilford, | Schoonmaker, |
| Hardenburgh, | Lieut Post, |
| Hasbrook, | Hunter. |

Cap[t] Henry Godwin appointed Judge Advoeate (in room of Cap[t] Lush).

Alexander Campble Brought Before the Court and charged with the Following Crimes: 1[stly] with holding Correspondence with the Enemies of the American States giving them Inteligence, 2[dly] adhering to and giving them aid and eomfort and secreting them—to all the above charges he generally pleads not Guilty.

The Prisoner being Examined says that Rose with his Party came upon him about eock crowing and knocked at the Door and a Tall man eame in which he took for Rose and Enquired for one Van Dusen and he (the Prisoner) told Rose that he (the Prisoner) knew of no such man whereupon Rose told him (the Prisoner) that he (Rose) would blow out his (the Prisoners) Brains if he discoverd his Being there. that then Rose went to a Brush fence with his Company and lay there one Day and one Night. that they appeared Much Distressed. that he (the Prisoner) told them (Rose and his Party) that they should turn back or certainly would be taken—Being asked whether he did Discover Rose and his Party he (the Prisoner) said he did Not.

Arthur M[c]Kenny Brought before the Court and charged 1[stly] with Holding Correspondence with and giving Inteligence to the Enemies of the United States of America. 2[dly] of giving them aid and eomfort. To both which crimes the Prisoner Generally Pleads Guilty.

The Prisoner being Examined Sayes some time on Saturday Night last Rose and his Party eame to his Barn. that he (the Prisoner) allowed them Suppaan & Milk and that his (the Prisoners) wench informed them (Rose's Party) that the Militia were in Pursuit of them and that he the Prisoner was affraid that Rose and his Party would Burn his Barn if he (the Prisoner) discovered them and that Rose Begged him (the Prisoner) not to Discover them, which he (the Prisoner) Did not Do. that Rose or one of his Party came into the kitchen in the night to his wench, and that he (the Prisoner) knew Rose to be an officer and if he (Rose) should be taken would Be Hanged and he (the Prisoner) said he Did not like to have Rose's Blood on his hands. But further says he was Innocent of their coming.

Isaac Lockwood, Brought Before the Court and Charged with a crime for attempting to Join the Enemy, Pleads Not Guilty.

The Prisoner Being Examined says that he (the Prisoner) was persuaded by one Silas Gardener to go to New York. that Gardener told him that he (the Prisoner) would get work at New York or Long Island. that Gardener had one Horse and stopped at Cornelius Wood's and got another and he (the Prisoner) and Gardner Rode Down to one Zacharias Burrells and stayed there till almost Day light. that Gardner told him (the Prisoner) he was going to New York and that Gardner told Burrell that they were going to New York and Burrell said he would be glad to go with them if he could leave his family. that they (the Prisoner) and Gardener Stoped at one Galoways in the Clove. went by Ringwood. Stoped at a House at Slaughter's Dam in the Jersies where they (the Prisoner and Gardner) forded the River. that Gardener told him (the Prisoner) that he could get a good strong five shillings Sterling pr day. that Gardener told him (the Prisoner) that the Shipping would soon be up the River. he (the Prisoner) says that he should have gone with Gardener to New York if he (the Prisoner) had not been taken. that he (the Prisoner) Inlisted with Capt John Belknapp and Deserted from him at Fort Montgomery.

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Silas Gardener charged with Levying war against the United States of America for Holding Correspondence and aiding and Assisting the Enemies of the said States Pleads not Guilty.

Prisoner Being Examined says that he (the Prisoner) heard that there was a Proclamation from Lord How Desiring all Persons to lay Down their arms, that they were fighting in a wrong cause, that he (the Prisoner) saw one George Harding, that Harding told him (the Prisoner) that he came from Long Island, that Harden had a Hessian Procklamation Desiring the Hessians to Rise in Arms against the Country. Harding told him (the Prisoner) that if he (the Prisoner) had a mind to live in Peace he should go to long Island, that he (the Prisoner) Promised Harding to Come Down in a few Days, and see if there was any truth in it but he (the Prisoner) says that he Found that what Gardener Told him was altogether False, that Gardener told him (the Prisoner) Before he came Down that he (the Prisoner) could have Seven Shillings p^r Day which he the Prisoner found to be False, that as he (the Prisoner) was coming home he met with one Thomas Powley In New York, that Powley walked out with him (the Prisoner) and as he and Powley were talking together Sir John Johnson came up to them and Powley said he (the Prisoner) Must Remember his love to his (Powley's) Friends at New Burgh, that Sir John Johnson Said Does this man live at New Burgh and Powley answered yes, then Sir John asked him (the Prisoner) whether he knew where Peter DBois Lived and he (the Prisoner) answered yes, upon that he asked him (the Prisoner) if he knew Lady Johnson and he (the Prisoner) answered he did not and that Sir John asked him (the Prisoner) what he would take to bring her Down which he says he at first Refused But that Sir John offered him (the Prisoner) thirty Dollars, that he at first Refused But at last accepted and that Sir John Gave him a Gold Ring for a Token, that he (the Prisoner) then came home but Did not like to go Down again and went to give the Ring to My Lady Johnson in order to be off but she was gone out, that then he (the Prisoner) went home and stayed at Home Better than a week, then went back again to New York and Gave up the Ring to Sir John and that he (the Prisoner) asked Sir John if he must give him the Money that Sir John Told him (the Prisoner) that he was welcome to it and that he (the Prisoner) went from there to Long Island and got Innoculated and that he stayed there till he got well, that he (the Prisoner) was Nine Weeks Before he got well, that after he got home he was Determined to stay at Home and stayed home Nine Days and sett out again for Long Island But was taken up, that he (the Prisoner) Sold one of his Horses he took from Home to one Scofield and the other to Joshua Mills of Jamaica—Long Island, that he told one Burrell where he stoped that he (the Prisoner) was going to New York and Further Says that he had Been at New York and Long Island the second time and when he Returned Home he was Taken and Brought before the Committee for Detecting Conspiracy &c, in the State of N. York and there took the Oath of Alegiance to the said State of which he Produced a certificate, that he went to go Down the third time But was taken and Confined.

Court adjourned till three o'clock this Afternoon.

Court Mett according to adjournment.

Daniel Reynolds & Peter Aldridge, Brought Before the Court and charged with Harbouring the Enemies of the United American States—Plead not Guilty.

No Evidence appearing against them, The Court came to a Resolution to acquit them.

The Court after Duly Considering the Evidences and the several Confessions of the Prisoners Resolved that Alexander Campble, Arthur M^cKenny, and Silas Gardener are Guilty of Holding Corispondence with the Enemies of the United States of America and of giving them aid and comfort in the state of New York while they owed allegiance to the Laws of the State of New York but do Resolve that Silas Gardener is not guilty of Levying war against the said state and Do further Resolve that Isaac Lockwood is Guilty of attempting to Join the Enemy—and do adjudge that the said Alexander Campble, Arthur M^cKenny & Silas Gardiner Do Suffer the Pains and Penalties of Death by being Hanged by the Neck till they are

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Dead and further adjudge that Isaac Lockwood be Close Confined in a Common Goal During the Present War with the King of Great Britain or Untill he shall be Released by proper Authority.

The Court having Examined the Proceedings and finding them Correct Do order them to be signed by the President.

By order of the Court,

LEWIS DUBOYS, *Coll., President.*

HENRY GODWIN, Capt., as Judge Advocate.

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*Order for the Transfer of certain Prisoners.*

[Miscel. Pap. 39: 93.]

To CORNELIUS OOSTERHOUDT Serg^t Greeting.

Forasmuch as frederick Sheneg and Lodewyck Hoornbeek of the Town of Rochester were suspected to be enemies to American Liberty where therefore Cieted to Come Before said Committe and the said Committe examined them on oath touching and concerning several things and Especially concerning Jacobus Shenegh son of said Frederick Shenegh being absconded and supposed to be with Jacobus Rosa Intended to General how and the said Frederick Sheneg & Lodewyck Hoornbeek appeered very partial on their oaths Did not appear to relate the truth whereupon the Committe asked the said Shenigh & Hoornbeek to swear of the King of Great Bratian and true allegiance to the State of New York which they Both did refuse and the said Committe are att a loss what to do with them; these are therefore to Command you the said Sarjent forth with proper assistance to convey and deliver them the Same frederick Shenigh and Lodewyck Hoornbeek to the Convention of the State of New York att Kingstown in Ulster County together with these presents that the said Convention may use their wil and pleasure with them the same Frederick Shenigh and Lodewyck Hoornbeek. Hereof fail not.

By order of the Committe at Rochester in Ulster County the first day of May 1777.

JACOB HOORNBEEK, *Chairman.*

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*Deposition of Jacobus S. Davits.*

[Miscel. Pap. 39: 89.]

Ulster County ss.

Jacobus S. Davis of Marbletown in the County of Ulster aforesaid of full age being Examined deposeth and saith that last Tuesday or Wednesday Week one Abraham Middagh came to this deponenths House and asked of him whether there was any strangers about that place—the deponenth answered no.—the said Middagh then told deponenth that Jacob Middagh had come up with him and was very near. the deponenth asked where is Jacob Middagh. the said Abraham Middagh answered if you will go with me I will bring you to him—the Deponenth then went with the said Abraham Middagh to the House of Frederick Bush where he found the said Jacob who informed this deponenth that he lately came from New York and that he came up in order to acquaint his friends and aquaintances how matters were circumstanced there and that all those who wou'd go with him down he would make Gentlemen of—that the Party who went down with him where Encamped at Jamaica on long Island that they lived there very well—had provision of all kind in plenty—and that every men who had a Family and wou'd go down with him to New York would be Entitled to one hundred acres of Land and fifty acres to his wife and every Son fifty acres and that they wou'd not be obliged to fight unless they were so Inclined. that they must take an oath of fidelity to the King of Great Britain—That the British Troops were to come up Hudsons River and by land as soon as the Country wou'd afford Grass for their

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Horses. that the said Jacob Middagh endeavored to prevail on this Deponeth to go down with him which this deponeth absolutely refused—that he the said Jacob Middagh then told this deponeth that if he would not go he should have one of his Brothers—The said Abraham and Jacob then told this deponeth that they where going to the deponenths Fathers House to Enlist his Brother Jacob—The deponenth being apprehensive that they might prevail on his Brother told them he would go with them, he thinking to diswade him, but when they came to the deponenths Father the said Jacob Middagh conversed with him about one of his Sons. that he wou'd have him or one of them to go down with him to New York—the father consented that one of them might go—that the deponenth was displeased and went home —that the said Jacob Middagh returned the next day with a Number of men; that they called at his house and the said Jacob Middagh told this deponenth that Christian Winne was gone to Little Shandekan, to get more men for him. that the said Winne wou'd meet him in that Neighbourhood—that he would have been gone before if the said Winne had come down—that Wilhelmus Merkle and Jacobus Bush were among the Company—that Wilhelmus Merkle Incouraged the men who where to go down with the said Jacob Middagh—by telling that it was a righteous cause they were Engaged in—that he Endeavoured to prove it by the Scriptures—That Jacob Middagh told the deponeth that if any Person did discover him or any of his Company their would be no pardon given, but they would be the Death of such Person. And further this deponenth saith not.

Sworn this 2d Day of May 1777, JACOBUS S. DAVITS.
Before me CHRIST^R TAPPEN.

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*An account of Monies disbursed by John M^cKesson and Robert Benson, as Commissaries of Prisoners of War.*

[Miscel. Pap. 36: 696.]

| | | | | |
|---|---|---|---|---|
| 1776. | | | | |
| August 20th | To William Miller, Esqr, Deputy Chairman of the Committee of West Chester County for the support of the Prisoners of War at Bedford, Dolle^rs 96, ..... | £38 | 8 | 0 |
| Sept 8th | To Cash advanced & remitted by Coll. Cha^s D Witt to John Sleght Esq the Chairman of the Committee at Kingston for Boarding & Lodging the Officers & other prisoners of War with their Families as per rects, | 102 | 0 | 0 |
| | To Cash paid for removing the said prisoners of War With their families & Baggage from Kingston in ulster County to Morris Town in Morris County New Jersey—as per accts & rect^s, ..... | 44 | 0 | 0 |
| Oct^r 28th | To cash paid Ebenezer Lockwood, Esq^r for the Subsistance & removal of the Prisoners of War in West Chester County to in Connecticut as per accts & Receipts, ..... | 19 | 5 | 4 |
| Dec^r 16th | Paid for the Rations supplied the Prisoners of War at Pound Ridge under the Inspection of that committee as per acct^s from David Dann, Joshua Ambler & John | | | |
| 1777 | Boulton, 111 10–90^ths Dollars, ..... | 44 | 8 | 11 |
| Jany 25th | To Cash advanced Alex^r Stewart a Prisoner of War in Lieu of Rations at a 8–90th of a Dollar each as per rec^t, | 1 | 4 | 0 |
| February 15th | To cash advanced to Alex^r Stewart a Prisoner of War in full for his Rations from 22nd Oct^r to the 23rd Instant—as per rec^t 8 dollars 2–90^ths, ..... | 3 | 4 | 2 |
| April 15th | To cash paid Benjamin Tusteen Esq^r Chairman of the Committee at Goshen for the rations furnished to the Prisoners of War at Goshen as per reciept, ..... | 45 | 3 | 6 |



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| | | |
|---|---|---|
| 1777 May 2d | Cash paid Alexr Stewart in Lieu of rations a 8–90ths of a Dollar per ration in full to the first day of May—5 and 86–90ths of Dollar,..... | £2 7 8 |
| | | £300 1 7 |

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*Petition of Wilhelmus Markel.*

[Petitions, 33: 576.]

To the Honourable the Representatives of the State of New York, In Convention Assembled:

The Petition of Wilhelmus Marracle of Marbletown County of Ulster State of New York, prisoner, Humbly Sheweth,

That yr petitioner some time ago sold a Farm to one George Robertson, But Did not Execute the Deed for the same and am at present unable by Reason of my confinement to perform the Execution of the said Agreement. That the said Farm is mortgaged to the Loan Office of Kingston for about sixty Pounds and unless the said mortgage is paid off Before Tuesday next it will be foreclosed, and the said Farm sold at Publick auction, to the Great loss of yr petitioner. That yr petitioner is to Recieve ninety pounds for the first payment of the said Farm, And is willing that the Residue of the money after the Discharge of the mortgage may continue in the hands of the said George Robertson or as this Honourable Convention shall otherwise seem Disposed to order the same. yr petitioner therefore humbly prays that this Honourable Convention would be pleased to take the premises under their consideration so as that yr petitioner may be permitted to come out of his confinement to Execute the Deed to the said George Robertson. And yr petitioner shall ever pray,

WILM his x mark MARKEL.

Kingston Goal, May 2d 1777.

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*Petition of Prisoners.*

[Petitions, 33: 572.]

To the Honourable the Convention of the State of N. York.

The Petition of the under Subscribers, Humbly Sheweth,

That we the Subscribers look upon ourselves as Prisoners immediately under the jurisdiction of your Honble Body, and as such entitled to your Protection, therefore we conceive that we have an undubitable right to complain to you of all (or even of any immaginery) insults offer'd to us by any inferior Body, in consideration of which and in trust of the greatness of your Humanity we are emboldened to lay before you the treatment we have experienced from this County Committee, Relying on your goodness for redress of our Grievances, and what we humbly concieve the support of the Dignity of your Honourable House. We were this forenoon visited by a Body of the Committee of this Place with Mr Egbert Demunt and by him Cumming was charged with having received and delivered Letters through the Iron Grate, which in the Sincerest manner we deny'd Excepting in one instance early this morning Cumming gave a sealed letter to his servant (directed to Mrs Cumming) through the window which letter was previously examined and sealed in the presence of one of the worthy members of your House, and as Captn Gyles saw the letter was sealed at night, he desir'd the servant to come to the window for it, the next thing Cumming was asked was if he had received any letters since he came into the Jail, when he show'd Mr Demunt all the letters he received and offer'd to Depose he had received none other. Mr Demunt then demanded our music, when he took away two violins belonging to Cumming. Cumming begged of Mr Demunt to leave the violins with the Captn or Mrs Gyles as they were instru-

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ments he had a considerable value for, but Mr Demunt answered he would not trust them with either we had one Pack of Cards to Divert us which was committed to the Flames to please the Committee they then inform'd us that for the future they wou'd take care we shou'd not live as we had done heretofore and Captn Gyles informs us he has orders from the Committee to let us have no drink but small Beer or water, they have likewise detain'd a quantity of pins belonging to Mr Crukshank which he had sent for (by Captn Johnson) from Albany to defray the expences of himself and Cumming in Jail. we therefore entirely rely on the goodness and Humanity of your Hearts to give such orders concerning us as to your Honours may seem fit, and your petitioners as in duty bound shall ever pray.

JNO CUMMING,
ALEXR CRUKSHANK,
JOHN MUNRO,
RICHARDSON THURMAN.

KINGSTON JAIL May 3rd 1777.

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*Governor Trumbull to the Committee of Saybrook.*

[Petitions, 33: 496.]

LEBANON 5th May 1777.

GENTLEMEN: I have before me yours of the 3d Instant Pr Mr Jones I feel for the Good People from Long island, wish they may receive during the time Providence Cast their Residence among us all that Civility Charity Kindness & assistance Due & called for By them in their Present unhappy situation. I think they ought to apply to the State of New York for Direction about the Remove of any of them Back to the Island. I shall Not Give Nor advise you to Give any Permits for such Remove & the Remove of Stock will be Serving the Enemy. the People had better apply themselves to the business they are able to Perform. when any opening for their relief appears we shall Readily assist & help them to Return. Your Conduct is approved. have no Doubt of Mr Jones friendship & Concern for the Liberties & Rights of the United States.

I am Gentlemen Your Humble Servt

Committee at Saybrook. JONTH TRUMBULL.

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*Resolution about County Committees.*

[Miscel. Pap. 39: 21.]

A. M. May 5th

Whereas it has been found by Experience that the several Committees within this State have greatly contributed to the public Security & Defence by expediting the measures necessary for the general weal, and whereas it will be necessary that the salutary influence of such Committees should be continued untill the Government of this State shall be firmly settled and obtain its full Energy & Vigor,

*Therefore resolved* that it be recommended to the Inhabitants of this State to chuse such active, spirited & Discreet subjects of this State as they shall deem proper for members of the several committees within their respective counties and to continue as members of such Committees untill the first Day of October next, and altho the office of a member of any of the said Committees is extremely painful & laborious yet as the service will probably expire before the said Day it is most earnestly recommended to the Good Subjects of this State chearfully to undertake and vigilantly to execute the said offices, more especially as the last Hope of our Dispirited Foes is now grounded upon those intestine Divisions which they so assiduously labour to promote. By the assistance of which they expect to accumulate greater Evils upon a Country which they cannot subdue and without which all their Diabolical Designs must prove utterly abortive.

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*Dedimus Potestatem to Major Hoffman and Schenck.*

[Miscel. Pap. 37: 135.]

The Council of Safety for the State of New York

To Harmon Hoffman & John Schenck Esquires of Dutchess County send Greeting.

Whereas the Convention of the State of New York by an ordinance for organizing and establishing the government agreed to by the said Convention made and Published at Kingston on the eight Day of May in the year of our Lord one thousand seven hundred and seventy seven did resolve that each and every of the persons in and by the said ordinance appointed to be officers in this State should before the said Council of Safety or such person as should be by them appointed take and subscribe the Oaths in & by the said ordinance prescribed to be administered to the said officers respectively.

The said Council do therefore by these presents authorize and empower you the said Harmon Hoffman & John Schenck and each & every you jointly and severally to administer to the Judges, Sheriffs & Clerks by the said ordinance appointed for the County of Dutchess and cause them respectively to subcribe the Oaths to be directed by the said ordinance to be by them taken and subscribed and that you and each and every you do without delay make known to the said Council the manner in which you and each of you shall have executed the trust and authority hereby committed to you. In witness whereof Pierre Van Cortlandt Esquire President of the said Council has hereunto subscribed his name in the said Council the fifteenth day of May one thousand seven hundred and seventy seven.

By Order,

Attest: JOHN M^cKESSON, *Sect.* PIERRE VAN COURTLANDT, *Prest.*

[May 8, '77.]

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*Report on Accounts of Abraham Lott, Treasurer.*

[Miscel. Pap. 39: 249, 253.]

Your Committee appointed to confer with and Examine the Accounts of Ab^m Lott Esq^r late Treasurer of the Colony of New York—Beg leave to Observe,

That in conference with said Ab^m Lott Esq^r he Informed your Committee that he had stated his Accounts in the manner he had been accustomed to with said Colony.

That he had not brought with him the Vouchers on which they are founded,

1. Because he conceives he ought to keep them for his Security during the present contest as he may in future be called upon for the same.

2. That they are numerous and bulckely and must be brought in carrages, nevertheless is ready to send them if Convention Orders it.

That he has a considerable number of Books and Papers put into his custody by Act of Assembly belonging to the Treasury, that he would be glad Convention would make some order about to indemnify him in delivering them to such person or persons as they should think proper to appoint, or if they see fit to leave them with him, will take proper care of them.

That he has a number of the counterparts of Bills issued the 31 of May 1709, that he would be glad was distroyed.

As your Committee are not furnished with the Vouchers referred to in the Accounts produced by Mr Lott, can only report on the face of the Acc^t which they have carefully Examined and find the same rightly cast and properly Carryed out.

That Mr. Lott produced to your Committee a list of outstanding debts amounting to £316 1 10, due him for duties which he has not charged himself with, being prevented from collecting the same by the present situation of affairs.

That there are Sundry Sums due on the different publick Lotteries for Tickets Sold on Credit with which Mr. Lott has charged himself which your Committee are of oppinion ought to be allowed whenever the same can be assertained.

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That the Salaries and Allowances of the Governor, Lieut. Governor, Clarke of the Circuits and Public printer, are severally charged, altho they have not fully been paid up, nor can we assertain what is due each for want of the Vouchers and particular Acc$^{t}$ of each person. Mr Lott thinks there is due Gov$^{r}$ Tryon between four and five hundred pounds, but does not know how much to the other three.

Upon the whole as the account is now staited with the foregoing observations, Your Committee Do Report

That there is due to this State from Ab$^{m}$ Lott Esq$^{r}$ late Treasurer of the Colony of New York the Sum of Twenty four thousand, eight hundred and fifty seven pounds, Seventeen shillings and four pence.

That Mr Lott acquainted your Committee that he had at present only about three thousand pounds which he was ready to pay in, and gave as a reason of his having no more at present, that he had traded largely to the Danish Islands where he had more due in safe hands than was sufficient to pay the Ballance he owed the State which with the Indulgence of Convention he would use his utmost endeavours to collect and pay in.

IN CONVENTION OF THE REPRESENTATIVES OF THE STATE OF NEW YORK,
KINGSTON, May 8$^{th}$ 1777.

The Committee to whom was referred the Report of the Committee who were appointed to confer with and examine the accounts of Abraham Lott Esq$^{r}$ late Treasurer of the Colony of New York, reported the following Resolution, Viz:

*Resolved*, That the Books and papers now in the possession of the said Ab$^{m}$ Lott belonging to the Treasury which were put into his Custody by Act of Assembly, be by him as soon as may be delivered to the Treasurer of this State, and that this Convention will pay the expence of transporting the same.

That all the old Counterparts of Bills now in the possession of the said Ab$^{m}$ Lott be sent by him to the president of this Convention, or Presid$^{t}$ of the Council of Safety of this State that they may be distroyed.

That the said Ab$^{m}$ Lott be ordered to state an exact acc$^{t}$ of the Ballances due and unpaid to the different officers of the Colony of New York and transmit the Same to this Convention, the Council of Safety, or the future Legislature of this State, and that he pay all such Ballances to the Treasurer thereof.

That the said Ab$^{m}$ Lott do pay such Sum or sums of money as are now in his hands on account of the Ballance due to the Colony of New York into the treasury of this State and take the receipt of the treasurer or vice treasurer for the same which receipt shall be a Sufficient Voucher to the said Ab$^{m}$ Lott for charging the said Colony or State with the Sum or Sums of money so paid and received and that the said Ab$^{m}$ Lott be directed to use his utmost Endeavours to Collect the Ball: that may still remain due from him to this State and to pay the same to the Treasurer thereof as soon as possible.

*Resolved*, that the Vice Treasurer of this State be directed to demand & receive of John Cruger Esq$^{r}$ late Speaker of the gen$^{l}$ Assembly of the Colony of New York the Bond entered into by Ab$^{m}$ Lott Esq$^{r}$ late Treasurer of the s$^{d}$ Colony & his Sureties for the faithful execution of his said office of Treasurer & that the Same be filed in the Treasury of this State.

The same being read & considered by Paragraphs it was thereupon

*Resolved*, that this Convention doth agree with their said Committee in their said Report & that the same Stand confirmed as the Act of this House.

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*Petition for the Reprieve of Job Babcock and John Williams.*

[Petitions, 33: 566.]

Arthur Connelly most humbly intreat the Honorable the Convention to grant unto Job Babcock & John Williams, who are now under sentence of Death & are to be executed To-morrow morning at Peekskill a Reprieve for a few days that they may have an opportunity to prove their Innocence and the Bad character of the Evidence ag^t them

KINGSTON, Thursday, 8th May, 1777. ARTHUR CONNELLY.

To the Hon the Convention of the State of New York.

NOTE.—Babcock was pardoned 29 April 1777.

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*Petition of Silas Gardner.*

[Petitions, 33: 562.]

To the Honourable the Representatives of the State of New York in Convention Assembled.

The Petition of Silas Gardner of New Borough precinct in the County of Ulster and State of New York, Humbly Sheweth,

That y^r petitioner is one of those unhappy persons who are confined in the Dungeon of the Common Goal of Kingston & sentenced to Die by Court Martial. That as this Honourable Convention has the Confirming of the sentence y^r petitioner is therefore led to offer this his petition. That as this Honourable House hath Been ever ready to hear the petitions of the Distressed and always followed that unerring & Divine precept (which says mercy Rejoiceth against judgment) and Especially as he humbly conceives he is wrongfully condemned by false accusation. That y^r petitioner some time last January went to New York & Returned and was about Returning again in company with one Isaac Lockwood But was taken & sent to Fishkills, Try'd by the Commissioners & Discharged from the said offence. That y^r petitioner was Return'd to his family and had been but about twelve hours home before he was apprehended by some of his neighbours, and taken Down to the Forts & Confined & Sentenced to Die. That y^r petitioner knows of nothing that can be laid to his charge since his Discharge from the said Commissioners But is Informed that the said Isaac Lockwood has sworn that y^r petitioner enticed him the said Lockwood to go off the time when they was both apprehended. That y^r petitioner can sufficiently prove by several witnesses if required that the accusation of the said Isaac Lockwood is false as the said witnesses is Ready to testify that the said Isaac Lockwood was Ready and about going off to New York Before y^r petitioner Returned therefrom. That y^r petitioner is in a truly Deplorable and pitiable situation Being Condemned for a Crime for which he hath Been Legally Discharged, and is conscious to himself of not having Committed any thing since his Discharge worthy of punishment y^r petitioner therefore Humbly prays and Implores that this Honourable House would be favourably pleased & mercifully Disposed to take his Deplorable case under their most serious consideration so as that y^r petitioner may be Relieved from the said sentence of Death by pardoning y^r said petitioner and Discharging him from his confinement or such other Relief as to this Honourable House shall seem meet. And y^r petitioner shall ever pray.

KINGSTON GOAL, May 9th 1777. SILAS GARDNER.

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*Petition of Arthur McKinney.*

[Petitions, 33: 558.]

To the Honourable the Representatives of the State of New York in Convention Assembled.

The Petition of Arthur M^cKinny of Hanover Precinct County of Ulster & State of New York, Humbly Sheweth,

That your Petitioner is at present a Prisoner Confined in the Dungeon of the

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Common Goal of Kingston, And under sentence of Death for an offence against the Law of this State Confirmed by a Resolve of this Honourable Convention passed the fourteenth day of April last past and published in the Newspaper the twenty-fourth of the same Instant. That the said Resolve was unknown to your Petitioner as he is a person who can neither Read nor write, And the offence committed the twenty-sixth of April being but the second Day after the publication of the said Resolve in the Newspaper. That y^r petitioner is Innocently brought into this Dismal snare by some ill Disposed person who must have directed them to his Barn in the Dead of the night, unknown to y^r petitioner & without his knowledge, and as he looks upon himself as a Dying man it is his Indispensible Duty, as he regards the good of his soul in the next life to say or Declare nothing but truth y^r Petitioner therefore is Ready & willing to lay his hand upon the sacred word of God, and solemnly Declare that he neither Knew of their coming or of their being there untill the next morning when he went to feed his Cattle as usual, and there he found the men in his Barn, And they would not let him go out, till he made his Negro wench bring Victuals to them and when they had Eaten they went away, and then y^r petitioner got clear of them. That y^r petitioner has always been a friend to the American cause and always liberally Contributed towards Raising of Men for the Defence of his Country, And has serv'd himself though a man of sixty-seven years of age and very weak through Age & other Infirmitys. That y^r petitioner by what appears to him is Condemned by a Court Martial to Die for this small offence, But that this Honourable Convention has the Confirming of the sentence and that y^r petitioner's life is now at the Disposal of this Honourable House. That y^r petitioner is in a truly deplorable condition, Being bound with Iron Bands in a Dark and Dismal Dungeon without the allowance of any thing to do their necessity's in, y^r petitioner therefore throws himself at the feet of this Honourable House and presumes to offer, Humbly praying & Imploring for mercy that as this Honourable House has always followed that unerring and Divine precept (which says Mercy Rejoiceth against Judgment) hopes that this Honourable House would be favourably pleased to take his case under their serious consideration, and pardon his Crime as he is not only willing to take the oath But to give such security as by this Honourable House shall be Demanded, or give such other Relief as to this Honourable Convention shall seem meet. And y^r petitioner shall ever pray.

KINGSTON GOAL, May 9^th 1777.

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*Complaint against John Middagh and Henry Bush.*

[Miscel. Pap. 36: 658.]

Y^e s^d Middagh and Bush said when they were at Marbletown that to their knowledge Jacob Middagh was their and was with them and told them that he had bin with the Kings Army and that he was imploy^d by Lord how to Bring more of our people to the Kings Army and that he was engaged to fight against the Countery and that there was Sixty thousand of our People alread Join the Kings Army & that in two weeks after he got back he thought they would overcome this part of the Countery and that he him self believed it would Be soon enough for him to plant his Corn this Spring and likewise they said that ther was not much dainger of Being Ketch^d for the Torys had prepared private Cellars a long the way which they stay^d in the Day Time and they likewise told that he s^d Jacob told them that he had entered a Complaint To Lord how against five or six of the Settlers at Papaconck for opposeing Deserters and other Toreys and that Lord how said their should be no pardon for them and the s^d Middagh and Bush Represented the Countery to be in so low ScircumStances that they could not stand long for the Kings Armey had taken all our Army at Brunswick and all the Artilery as also that it would not be two weeks before the Countery would give over and that they blamed one Joel Austin very much Because he did joine with the Torys by which discourse they discouraged our People very much. Witness my hand

SILAS BOWKER.

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*Affidavit of John Staats.*

[Miscel. Pap. 36: 660.]

John Staats being duly sworn & saith that Ryer Schermahorn came to the House of the Deponent and give to the Deponent Thirteen Continental paper Dollars for Six Dollars in Silver, the Deponent further saith that some Time after he the said Ryer Schermahorn came to the House of the Deponent and said I give you one Dollar to much—and I was drunk when I give you the Thirteen Continental paper Dollars for Six Dollars in Silver, on which the Deponent offered to return to the said Ryer Schermahorn the Thirteen Continental paper Dollars for the Six Dollars in Silver, which he the Said Ryer Schermahorn Refused and said I will not Recant.

A true Copy from the Minutes,

HERMAN HOFFMAN.

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*Instructions to Commissary of Prisoners.*

[Miscel. Pap. 39: 67.]

Instructions to Charles Gyles appointed Commissary and Steward of prisoners confined or to be confined on board the Vessel or Vessels on Hudsons River, by Order of the Convention of the State of New York.

You are to deal to each prisoner confined on board said Vessels, the following Rations pr. Man, pr. Day, Weekly or as often as the nature of the provisions to be dealt out shall require,

pr Day, 1 pound of Bread.
pr Day, ¾ D° pork till you can procure Pease.
pr Day, { ½ D° D° when you have Pease, & ½ pint Pease.
pr Day, 1 lb Beef & no pease.
Firewood and Salt necessary.

You are to provide Caboos's and Potts for the Prisoners to Cook in.

You are to produce your accounts to the Auditor of Accounts of this State for the time being, to be audited and allowed for payment monthly. As also your account for wages, at the Rate of twelve Shillings pr Day from this day, till you are discharged from your Office of Commissary and Steward.

GILBERT LIVINGSTON, }
PETER J. VANZANDT, } *Committee.*
JON. LAWRENCE, }

1777, May 9, Approved by Convention.

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*Report on Lead, Sulphur, &c.*

[Miscel. Pap. 39: 69.]

P. M. May 9th 1777, read and agreed to.

Your Committee to whom it was referred to report upon Ways and Means for encouraging the Manufactory of Lead, Gun Flints, Sulphur & Salt beg leave to report the following Resolutions.

*Whereas*, there is great Reason to believe that Lead, Gun Flints, Sulphur & Salt may be manufactured in great abundance within this State, and

*Whereas*, it will at all Times be of advantage to establish such manufactories within this State, and the said Articles are more particularly necessary at the present Time, wherefore it is incumbent upon the Legislature to encourage such manufactories, In order to encourage & promote the same,

*Resolved*, that William Harper, Matthew Cantine & Jonathan Lawrence Esqr be and they hereby are appointed Commissioners to superintend the manufacture of Gun Flints, Sulphur, Lead & Salt, and that they have power to expend upon Such

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manufactures a sum not exceeding three Thousand Pounds—and to Draw upon the Treasury of this State for that sum and that they be further allowed the Sum of Fifty pounds + + + each for their trouble & Expence in the service afores[d]

*Resolved*, that the Sum of Forty Shillings + be allowed as a Bounty for every hundred weight of good lead made from the ore within this State by any private adventurer on or before the first Day of May 1778, that the sum of Sixteen Shillings be allowed as a Bounty for every hundred weight of good Sulphur so manufactured as afores[d] within this State on or before the said first Day of May 1778, that the Sum of Ten Shillings be allowed for every Bushell of good Salt manufactured as afores[d] within this State from Salt Springs or Mines on or before the first Day of December next, & that the sum of Two Shillings be allowed for every hundred good Gun Flints made within this State on or before the said first Day of May 1778, and that the said Several Bounties be paid as follows, to wit: The Party claiming the said Bounty shall make Proof before one of the said Commissioners that he is entitled to such Bounty, and thereupon such Commissioner shall make a certificate in his Favor of his being entitled to the Bounty which shall be a warrant to the Treasurer for paying the Same.

*Resolved*, that this State have the pre-emption of the Several Articles above mentioned upon which such Bounty shall be given as aforesaid.

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*Matthew Dubois to the Convention.*

[Miscel. Pap. 39: 27.]

KINGSTON, May 9, 1777.

To the Honorable the Convention of the State of New York.

GENTLEMEN: Whereas my son James Dubois Received a Warrant of the Chairman of the Committee Dated the 10th day of November in the year of our Lord one thousand seven hundred and seventy-six and did not receive the warrant till the 25th Day of december next following, the day after the receipt of his Warrant my son James Received a Verbal order from Major fish ordering him down to New York with a flag and returned home again to my house from New York in and about the 10th of January One thousand seven hundred and seventy-seven. the very Night he came home to my house my son was taken with a pleurisie and a Violent fever Which Continued upon him until about the 28th January and before my son James was perfectly recovered and fit for service he Received orders from Coll. Willit to join the Regiment which he immediately Complied with and soon went to fishkill & from thence to fort Constitution and joind his Regiment & Continued in the Regiment doing his Duty for the space of most three months since his return from New York and recovery of his disorder.

The Committee that was appointed by the Honourable Convention to make out an arrangement for officers to Raise five Regiments in the State of Newyork Nominated my son James among the rest in Consequence of which nomination by the Committee for that purpose a warrant was Issued to my son James signed by the Chairman of that Committee to Raise men to fill up the Regiment in which my son was nominated to be an officer and in that Capacity Served the State of New York four months from the 25th december, 1776, untill the 26th April 1777 when Mr. Moses Yoemans came with an appointment from the Committee to occupy the post or office in the regiment which my son James then acted in & produced a warrant for that purpose to my Son, my son Directly Complyed in obeying government by given up his place to Mr. Yoemans without hesitation and after that applied to Coll Willet for a furlow & obtained it for some days absence untill an opportunity could be imbraced to Lay the state of his case before the Honourable the Convention of the State of New York, that an inquiry might be ordered to be made to find out the reason for such extraordinary conduct that my son James be turn'd out of imployment and no reason assigned. Your Informant as a father to my son being moved and actuated by Divers motives for the good of the publick and for the good of my son have Laid out a good sum of money to fit out my son to make a decent



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appearance in the army Suitable to the Station he was to act in which by the conduct above mentioned is greatly pernicious to me and also a great Damage the Greatest Griefvance of all is that as a well wisher to my Country of which I have Given Sufficient Testimony to my Country I live in—that the character of my Son shou'd & is now stain'd for a supposed Great Crime to render him unworthy of ever Bearing any office either military or civil occasioned by such Extraordinary Conduct—to turn men out of office and does not know for what. His character is now Daily held up to the Publick. what can be the Reason for turning James Dubois out of his office he must have Committed some bad Crime—otherwise he would not be turned of his post. that is the Common Conversation & Many suppositions & Suggestions to the same purpose of all his acquaintance and others, and my sons character Greatly Injured to the Great sorrow of your Informant.

Characters the Honourable Convention well know to be of Great Value, Therefore your Informant desires & prays that the Honourable Convention will take my Information into Consideration & order an inquiry to be made for What Reasons my son is turned out of his post that he may have some satisfaction for such Conduct and myself also your Informant.

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*Petition of Elnathan Foster and others.*

[Petitions, 33: 460.]

To the Honourable Committee of Safety.

As we have no other way to Inform you of our Necessity but by the Pen and we hope that you are Not oncenciable of the condisson that our Family's is in at this time and they are Not able to Sepoart us at this time and we are out of Porvesson and have been for this Two days Nothing but Bread alone and we have not but Tow of us that is got any money and we must suffer For their is Several of us that is Sick and the Room is so full that their is but one part of us Can Lay down at a time, and we Beg that you would hear our Complaint, For you are the Gentleman that we must beg to hear our Cry and without you will have som marcy on us sun we must Dy hear this from your humble Pertishners,

| | | |
|---|---|---|
| Elnathan Foster | Begemin Smith, | John Mefad, |
| Solomon Comes, | David Wyatt, | James Flewelling, |
| John Flewelling, | Stephen Wood, | Robart Denton. |
| Bengemin Darby, | | |

[1777.]

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*Papers relative to Vermont.*

[Miscel. Pap. 36: 233, 243.]

CUMBERLAND COUNTY.

At a legal and full meeting of the Inhabitants of the Town of Rockingham, met and assembled at our meeting house on the 26th day of August 1776 and Passed the following Votes, Vis

first, Voted and chose Major Oliver Lovell, Moderator to Govern said Meeting.

2ly Voted, When Doctor Reuben Jones had exhibited the papers in his hand which contained the Substance of a petition sent to the Honorable Continental Congress, by a number of delegates of a General Convention assembled at Dorsett on the 16th and 17th days of January 1776 also the extracts of the Votes and proceedings of a General Convention, held at Dorsett on the twenty fourth day of July 1776; together with an association published by said Convention, The same was taken into consideration and after deliberation,

3ly Voted, To associate with the inhabitants of that district of land commonly

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called and known by the name of the Newhampshire Grants. Dessentients only two.

4thly Voted, To send two delegates to the Convention at Dorsett.

5thly Voted and chose Doctor Reuben Jones, and Lt Moses Wright, members to join the Convention at Dorset, on the 25th day of September next.

6thly Voted, and chose a committeee to make a draught for Instructions for the delegates and to make report to the Town of their Instructions.

7thly Voted, and chose Major Oliver Lovell, Lt Peter Evans, Junr and Mr Colborn Preston to be the Committee.

8thly Voted, and accepted the report of the above committee which is as follows:

The Delegates are to use their best Influence in said Convention, that proper measures be taken to Get that District of land commonly called and known by the name of the Newhampshire Grants, formed and incorporated into a seperate District or State, and to act on any other thing, that shall be thought proper by sd Convention. WILLIAM SIMONDS, *Town Clerk.*

A true Copy.

At a Town Meeting Regularley warned, held at Halifax ye 2d Day of September Anno Domini 1776, Lieut John Thomas chosen Moderator, Put to Voat whether they would choose a Deligate to meet the Green Mountain Boys. Voated in the Negative. A True Copy Test,

PELATIAH FITCH, *T. Clerk.*

Extract of the votes and proceedings of Genl Convention held at Dorset on the N. Hampsher Grants by adjournment the 25th 26th & 27th days of Septemr in 1776.

2nd *Voted* that the records of the proceedings of this Convention held at this place from the 16th of January last to this time be read to give lite to those Gentlemen Deligates from the East side of the Green Mountains in particular and the whole in General.

6ly *Voted* to make a General list of the names of those (of the several Towns on the New Hampshire Grants) who have signed the General association voted by the last Convention to be signed.

7ly *Voted* that no members of this Convention be permitted to speak more than Three times to one cause or at one siting without leave of the Board.

8ly *Voted* that the association originally signed be returned to the Clark of this Convention at their next Siting at Westminster the last Wednesday of Octr next.

9ly *Voted* to submit the vote Relative to making aplications to Continental Congress for a new State to those Gentlemen Delegated from the East side of the Mountains for there consideration which they report or have reported their acquiescence therein.

10th *Voted* to show our minds whether we will take every sutable or proper step to obtain to be a Seperate or distinct State by our selves and it passed in the affirmative not one dissenting vote.

11th *Voted* to choose Seven persons for a Committee to form a plan for future proceedings & report to this Convention.

12th Choose Col. William Marsh, Doctr Jones Fay, Doctr Ruben Jones, Capt Ira Allen, Col. Thomas Chitinden, Col. Benjn Carpenter and Col. James Rogers a Committee for the above purpose.

14th *Voted* that a compact or Covenant be made and subscribed by the members of this Convention for them selves and Constituants for the security of there common liberties & properties in conjunction with the free and Independent States of America.

15th *Voted* that the above covenent be made and subscribed at this meeting, and that the several counties on the N. Hampshire Grants be furnished with a Coppy to be signed by the several Individuals to be returned to this Convention.

16th *Voted* that some Covenent or Compact be entered in to by this Convention.

17th *Voted* that Col William Marsh, Colo Moses Robinson, Mr Ebenr Hoisington, Doctr Reuben Jones, Col Thomas Chittenden and Doctr Abijah Durham be and are

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a Committee to form the s^d Covenent and report the same to this Convention to morrow morning.

The foregoing Committee Reported to Convention in the morning as follows:

19, *Voted* that sutible provisions be made that the whole of the Inhabitants of s^d Newhampshire Grants on each side of the Mountains be notified and have proper Opertunity to join & coincide with the meashures Taken and to be Taken hereafter for the Benifit of forming s^d District into a separate body or State.

20^th *Voted* that Col Jacob Baley, Capt Abner Sely and Col Jacob Kent be a joint Committee to exhibit the proceedings of this Convention to the Inhabitants of the County of Glousester and request them to sign the association left with them at there County Convention held at Thetford the 13^th day of August Last and Return the same by the Delegate or Delegates chosen or to be hereafter chosen to meet and join this Convention at their next seting.

21^st *Voted* that it be and is hereby Recommended to the several Chairmen of the several Committees of the several Towns on the West side the Range of Green Mountains on the Newhampshire Grants faithfull see to it that the Association made at the last seting of this Convention be forth with signed by every Individual male Inhabitant of each Town from 16 years old and upward, and that for the future Each person subscribe his one name or mark; that s^d association thus signed be returned to Jonas Fay the Clark of this Convention at or before the next seting of this Convention on the last Wensday of October next to be held at Westminster, as also the names and reasons of those who refuse to sign s^d Association.

22^nd Choose Col^o William Marsh & Cap^t Ira Allen to go over the East side of the Mountains to assist in Collecting their minds and signing of Association in the Counties of Cumberland and Gloucester.

23^rd Choose Doct^r Jonas Fay, Doct^r Ruben Jones & Col^o William Marsh a Committee to draw a Remonstrance or petition to send to the Continental Congress and report to this Convention as soon as may be.

24^th *Voted* that Doct^r Jonas Fay write a answer to Doct^r John Wheelocks letter.

25^th *Voted* that the Committee of Safety for the several Towns on the New Hampshire Grants be Leagally invested with the same powers as other Committies of Safety for other Towns in any of the free States of America.

26^th *Voted* that a Soficient Gale be made on the west side of the Range of Green Mountains at such place as shall hereafter be agreed on for Securing Tories &^c

27^th *Voted* that Nathan Clark Esq^r Cap^t Mikel Veal, Cap^t Sam^l Benton, Maj^r Jeremiah Clark and Col James Mead be and are hereby appointed a committee to assigne the place for erecting a Goal as above, and prescribe some meathod for Effecting the same as soon as may and Report to this Convention as soon as thay Convieaniantly can.

28^th *Voted* that every Col^o essue his orders Emmediately to his several Cap^ts to muster there Companies and to take the nomber of men gone in the sarvice and what sarvice, and how many at home and thire arms and ammunition and the Colo^s to mak their Returns to the Committee of War and they to this Convention.

34^th That Doct^r Ruben Jones, Lieut Spauldin wait and take the procedings of this Convention and Deliver to there Constituants.

35^th That 13 members from this Convention to the Convention on the other side.

36^th Its recommended for every Town to send one member.

38^th *Voted* that Jonas Fay, Col William Marsh and Doct^r Jones be a committee to prepare a petition to the Honorable Continental Congress.

46^th That as it appears that the Town of Arlington are princepelly Tories, yet the friends of Liberty are ordered to warn a meeting and choose a Commeety of Safety and conduct as other Towns; if they meet with opposition to make applycation to the Commeety of Safety of the neighboring Towns for assistance.

47^th That Col Benjamin Carpinter of Guilford notifi Hinsdaile, Halifax & Guilford; Cap^t Francis Whitmore of N. Marlborough notify N. Marlborough, Brattleborough & Draper; Lieut Lennard Spaulden & Capt Saml Fletcher notify putney & N. Fain, Townshend & Dummerston for the purpose of the within Resolves.

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49th That this Convention be adjurned to Wednesday the 30th day of Octr next to be held at the Court House at Westminster at 10 Oclock in the fournoon.

A true Coppy from the Original; attest,

JONAS FAY, *Clerk of sd Convention.*

Coppy pr ord Samll Fletcher.

Names of the Commissioned Officers under the command of Major Joab Hoisington appointed and recommended by the Committee of Safety for the Countyes of Gloucester & Cumberland as follows Viz:

[Miscel. Pap. 34: 587.]

Benjamin Wait, Captain.
John Strong, Captain.
Joseph Hatch, Captain.
Doctr Elkanah Day, Captain.
Elisha Hawley, 1st Lieutenant in Captain Wait's Compy
Zebulon Lyon, 2 Lieutenant in sd Compy
Eldad Benton, 1st Lieutenant in Captain Strongs Compy
John Barnes, 2 Lieutenant in sd Compy
Simon Stevens, 1 Lieutenant in Captain Hatch's Compy
Amos Chamberlain, 2 Lieutenant in sd Compy
Nathaniel Whitney, 1 Lieutenant in Captain Day's Compy
Jehiel Robbins, 2 Lieutenant in sd Compy

A true List examined by me,

Septr 26, 1776. JAMES CLAY, *Chairman.*

A Musterroll of Captain Benjamin Waits Company of Rangers under the Command of Major Joab Hoisington.

[Miscel. Pap. 34: 583.]

| Mens Names. | When Inlisted. | Mens Names. | When Inlisted. |
|---|---|---|---|
| Capt. Benjamin Wait,.. | Aug. 6th 1776. | Moses Whipple,..... | Aug. 23d 1776. |
| Lieut. Elisha Hawley,.. | Aug. 6th do | Phineas Newton,..... | Aug. 23 – do |
| Lieut. Zebulon Lyon,.. | Aug. 6th do | Jacob Hall,..... | Aug. 23 – do |
| Sergt. William Hunter,. | Aug. 8th do | Eleazer Leeland,..... | Aug. 23 – do |
| Sergt. Samuel Messer,.. | Aug. 16th do | Oliver Williams,..... | Aug. 7 – do |
| Sergt. Elijah Mason,... | Aug. 7th do | John Killman,..... | Aug. 7 – do |
| Corporal Matthew Hammond, ..... | Aug. 7th do | Adin Dyke,..... | Aug. 7 – do |
| | | James Sanderson,..... | Aug. 7 – do |
| Corporal Bezaleel Gleason, ..... | Aug. 23d do | James Call, Junr..... | Aug. 7 – do |
| | | John Wadkins,..... | Aug. 12 – do |
| Corporal Phineas Saunders, ..... | Aug. 7 – do | Sylvester Buggley,.... | Aug. 27 – do |
| | | John Louren,..... | Sept. 12 – do |
| Samuel Stone,..... | Aug. 7 – do | Nathaniel Abbot,..... | Aug. 19 – do |
| Solomon Emmons,..... | Aug. 7 – do | Bliss Hoisington,..... | Aug. 7 – do |
| Simon Athorn,..... | Aug. 9 – do | James Call, ..... | Aug. 7 – do |
| Ezekiel Hawley, ..... | Aug. 9 – do | Asa Call, ..... | Aug. 7 – do |
| John Heath,..... | Aug. 9 – do | William Anibal,..... | Aug. 16 – do |
| Jonathan Cady,..... | Aug. 16 – do | Isaac Hoisington,..... | Aug. 7 – do |
| Elisha Flowers,..... | Aug. 16 – do | Zebina Curtiss,..... | Aug. 22 – do |
| Eldad Hubbard, ..... | Aug. 19 – do | Benjamin Tumalek,.... | Aug. 16 – do |
| Ava Smead,..... | Aug. 23 – do | Peal Susap,..... | Aug. 16 – do |
| Matthew Miller, ..... | Aug. 27 – do | Wild Willard,..... | Aug. 18 – do |
| Joseph Haynes,..... | Aug. 30 – do | Lot Whitcomb,..... | Sept. 11 – do |
| Israel Olmstead,..... | Aug. 30 – do | John Newton,..... | Sept. 11 – do |
| Ebenezer Umpstead,... | Aug. 30 – do | Nathaniel Page, ..... | Sept. 11 – do |
| Jonathan Hammon,.... | Aug. 8 – do | Asa Chedel, Junr..... | Sept. 11 – do |
| David Hunter,..... | Aug. 8 – do | Thomas Freeman,..... | Sept. 11 – do |
| John Billings,..... | Aug. 10 – do | Benjamin Cox,..... | Sept. 11 – do |

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| Mens Names. | When Inlisted. | Mens Names. | When Inlisted. |
|---|---|---|---|
| Christopher Hall, ..... | Aug. 12 – 1776 | Timothy Knox, ..... | Aug. 17 – 1776 |
| Lemuel Colton, ..... | Aug. 12 – do | Phenihas Powers, ..... | Aug. 25 – do |
| Lott Hoddgman, ..... | Aug. 13 – do | Ebenezer Howard, .... | Aug. 7 – do |
| Thomas Hunter, ..... | Aug. 3 – do | | |

BENJAMIN WAIT, *Cap*[t]

Septem[r] 14[th] 1776.

A Musterroll of Captain John Strongs Company of Rangers under the command of Major Joab Hoisington.

[Miscel. Pap. 34: 624.]

| Mens Names. | When Inlisted. | Mens Names. | When Inlisted. |
|---|---|---|---|
| Captain John Strong,.. | Aug. 6[th] 1776. | John Sawyer, Jun[r].... | Aug. 22[d] 1776. |
| Lieut. Eldad Benton... | Aug. 13 – do | David Arwick, ..... | Aug. 22 – do |
| Lieut. John Barns, .... | Aug. 13 – do | Enos Sawyer..... | Aug. 22 – do |
| Sergt. Elizar Andrews,. | Aug. 6 – do | Isaac Gragg, ..... | Aug. 22 – do |
| Sergt. James Harwood, | Aug. 14 – do | Seth Johnson, ..... | Aug. 16 – do |
| Sergt. Ephraim Patterson, ..... | Aug. 14 – do | James Smawley, ..... | Aug. 16 – do |
| | | James Waterman, ..... | Aug. 16 – do |
| Corporal Ebenezer Call, | Aug. 15 – do | Jeremiah Percival, .... | Aug. 16 – do |
| Corporal Samuel Root,. | Aug. 14 – do | Elisha Brown, ..... | Aug. 16 – do |
| Corporal Elisha Smawley, ..... | Aug. 16 – do | John Crary, ..... | Aug. 16 – do |
| | | John Lovejoy, ..... | Aug. 16 – do |
| Andrew Powers, ..... | Aug. 7 – do | Jonathan Benton, ..... | Aug. 16 – do |
| Ignatious Sprague, .... | Aug. 15 – do | Joseph Havins, ..... | Aug. 16 – do |
| James Cady, ..... | Aug. 15 – do | Elisha Waterman, ..... | Aug. 18 – do |
| Abijah Lampfield, .... | Aug. 15 – do | William Evans, ..... | Aug. 18 – do |
| Luke Lampfield, ..... | Aug. 15 – do | Elisha Kent, ..... | Aug. 18 – do |
| Thomas Richardson, ... | Aug. 17 – do | John Stockbridge, ..... | Aug. 18 – do |
| Phinehas Rust, ..... | Aug. 17 – do | Amos Kent, ..... | Aug. 18 – do |
| Oliver Rust, ..... | Aug. 17 – do | Moses Parson, ..... | Aug. 18 – do |
| William Freeman, ..... | Aug. 21 – do | David Write, ..... | Aug. 18 – do |
| Seth Foard, ..... | Aug. 14 – do | Robert Simpson, ..... | Aug. 23 – do |
| Thomas Davies, ..... | Aug. 14 – do | Oliver Hand, ..... | Aug. 23 – do |
| Levi Andrews, ..... | Aug. 14 – do | Will[m] Martin, ..... | Aug. 23 – do |
| Noah Foard, ..... | Aug. 14 – do | Joshua Young, ..... | Aug. 23 – do |
| Richard Young, ..... | Aug. 14 – do | Jesse Young, ..... | Aug. 23 – do |
| Hezekiah Foard, ..... | Aug. 14 – do | Caleb Young, ..... | Aug. 23 – do |
| Samuel Crook, ..... | Aug. 14 – do | Ephraim Root, ..... | Aug. 25 – do |
| Sebee Beebee, ..... | Aug. 14 – do | John Sanbourn, ..... | Aug. 29 – do |
| Paul Foard, ..... | Aug. 14 – do | David Weeks, ..... | Aug. 29 – do |
| Thomas Gragg, ..... | Aug. 22 – do | Amos Palmer, ..... | Aug. 30 – do |
| Hezekiah Fuller, ..... | Aug. 22 – do | Josiah Clark, ..... | Sept. 11 – do |
| Andrew M[c]Collister, ... | Aug. 22 – do | Andrew Lovejoy, ..... | Aug. 16 – do |
| John Sawyer, ..... | Aug. 22 – do | | |

Test: JOHN STRONG, *Cap*[t]

Septem[r] 14[th] 1776.

[Miscel. Pap. 36: 203.]

This Certifys that at the desire of the Committees of this County of Gloucester and Sundry of the Committees of New Hamp[r]—Jacob Bayley Esq[r] did detain a large number of men he had ingaged to make a road to Canada, after he Desisted from that work which was the first part of July until sume time in September, as Gaurds, Building Forts and Scouting Partys which we thought at that time was absolutely Necessesary because at that time we could not expect any other help.

JACOB KENT, *Ch*[n] *Pro tem.*

1776.

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[Miscel. Pap. 36: 191.]

SR: I have Recievd posetive orders for Capt. Waits Companey to go with Colº Barret on Crounpoint Road from Genl Gates; owing intierly to a Rong Representation of boath the footing on which we are raised as well as our neglect of publick Servic and to Convince Him of his error I have sent him the resolves of the Congress and a letter Seting fourth our present Situations and Servises; Likewise Rote to him that if one of these Companeys of Rangers Raised and ordered to Reconoit the woods must go and Worke at Rhoads, that yourn must doe it. But my determanation was and still is that not one of them Ever shall, therefour not with Standing my order for you to go on that Rhoad Sent by Capt. Wait these are to Dezier and order you not to go But prepare to march to this place as quick as posoble. These from yours to Serve, JOAB HOISINGTON.

NUBAREY Sept 19 1776.

To Capt. ELCANEY DAY at Westminster.

[Miscel. Pap. 36: 207.]

GENTLEMEN: Colon Williams has earnestly Requested me to call the County Committee and the field Offiscers togather, in order to procure Arms for those that hant got none, which the County Committee have already Don in their Instructions to our Deligates, and Colon Marsh informs me that he was like to get a grant of Money from the Provincal Congress, sufficent to procure Three Hundred Armes, for the Benefit of the County, and should have got them, had it not been for that letter which Mr. Philips and some others Did prevail upon the Committee, to send to New York, togather with some other informations they have recieved which made them beleve that we ware agoing to Revolt from them since which they will do nothing for us, Untill they can be asured that we have no such intent. Now by the advice of a number of the members of the County Committee, I earnestly request that you would Call your Town Togather that you may know their minds as a body, or as Indevidels, wheather they Intend to Revolt from the State of New York or not, and be Pleasd to send the Proceedings of your Town to Westminster by your County Committee at their next setting on the first Tuesday of November next, that the County Committee may be able to send to the Provincel Congress, the minds of the Inhabitance of this County. in this Important affair I Beseach of you, and of every member of this Community, to act Candidly and uprightly in an affair of such importance as this is, at this Critical Time your complyance with the above Request will greatly oblige a number of the County Committee, and your Humble Servent,

PUTNEY, Sepr ye 26, 1776. JAMES CLAY, *Chairman.*

To the Sub Committee in the Town of Putney.

P. S. I sent a letter to the sub Committees of every Town in the County Desiring them to meet as above Said, and make Returns, and but fue Towns met.

A true Coppy Test.

JAMES CLAY,

*Chairman of the County Committee.*

[Miscel. Pap. 36: 233.]

At a Town Meeting Regularly warned held at Halifax 18th Day of October Anno Domini 1776, Mr James Gray was chosen Moderator. Then it was put to Voat, who Present are for Setting up a New State in this Difficult and Distressing Time, and who for continuing through the present Troubles, still to the State of New York. Voated to continue still to the State of New York, as above, Nemine Contradicente. A true Copy Test,

PELATIAH FITCH, *T. Clerk.*

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[Miscel. Pap. 35: 689.]

Agreeable to the Resolves of the Provincial Congress of the State of New York, the Committees of the Countyes of Cumberland & Gloucester did meet & proceeded & apoint, and do recommend to the Honb[l] the Congress of the State of New York the names of the following Gentlemen to be commisshioned in the ranging Companeys under the command of Major Joab Hoisington, who ware sworn to the faithful discharge of their particu[r] Offices, agreable to the above resolves October the 23[d] 1776 Before me JAMES CLAY, *Chairman of the Commite.*

Benjamin Waite, Capt. Elisha Hawley, Zebelon Lyon, Lieuts.

Abner Seely Capt in the room of Capt Day who has resined, Benj[n] Whitney & Jehiel Robbins Lieuts, John Strong Capt, Medad Benton & John Barns Lieuts, Joseph Hatch Capt, Simon Stevens & Amos Chamblen Lieuts.

PUTNEY, October the twenty third, 1776. JAMES CLAY, *Chairman.*

Letter to Captain Clay, Chairman of the County Committee, Westminster.

[Miscel. Pap. 36: 235.]

S[r] agreeable to your request of Sept[r] 26[th] 1776 we have called the Town together to know their minds relative to a Seperation from the State of New York we find the Major part for a Seperation on the principle of first applying to the State of New York for it before it be carried to the Continental Congress.

AARON WILLARD,
WILLIAM GALLUP,
PAUL SPOONER,
*Committee of s[d] Town of Hertford.*

HERTFORD, October 29[th] 1776.

[Miscel. Pap. 36: 195.]

Cumberland ss.

Joel Marsh being duly Sworn said that soon after Major Hoisington's arival from New York with his Commission, he the deponant waited on said Hoisington (being appointed a Captain under him) when in conversation he observed to said Hoisington that he did not choose to take a Commission because he thought it would be verry dificult to Raise men for an unlimited term on which Hoisington answered it would not be dificult, as he would as soon Inlist some untill next March as not, and give them Forty Shillings Bounty—that by that time perhaps the War would be at an end, and the Surplus of the Bounty would remain to the Officers—that if men were wanted after that time he could raise others—and that he would Risque the Consequences—The deponant further saith he saw John Strong a Captain in the Rangers inlist a man untill next March or about that time as near as he can recollect and that he is Credibly informed that many of said Rangers are Inlisted on the same plan—and further saith not the Deponant.

Sworn before me in Harford 14 Nov[r] 1776. SIMON STEVENS,
*Jest[e] of Peace.*

[Miscel. Pap. 36: 199.]

We whos names are under Ritten under the Solemnety of an oath Declares that on the Sixt day of August last at a meeting of the Committes of boath Countys in Windsor and Maj[r] Hoisington being Requested the Resolvs of Congress, He gave them to the Chairman who ordered the Clerk to Reed them; that being done a Motion was made Wheather they Should proceed to apoint the Officers on Which Debates a rose wheather they Could without there being a majority of the Committes of boath Countys on which they Dezierd the Resolve to be Reed and they was severael times and Maj[r] Hoisington did not debar the Committee or any other person preasent in our hearing the perusual of the Resolvs.

JACOB KENT,
JOHN STRONG,
ELISHA HAWLEY, } *Committee.*

NEWBERY Nov[r] 18[th] 1776.

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[Miscel. Pap. 36: 239.]

Lieut. Benjamin Whitney being duley sworn saith that he was present at the time the Committee of Cumberland & Gloucester Counties met at Windsor in order to Appoint the Officers to the rangiers Compauies in said Counties, When he heard Capt. Clay, Chairman of the said Committee desire major Hoisington to let the Resolves of Convention relative to raising said Rangers lie upon the Table for perusal upon which said Hoisington took up said Resolves and turned away without giving an answer, as this deponant recolects, and further saith not.

Sworn before me this 20th day of Novr 1776, BENJAMIN WHITNEY.

JOHN SESSIONS.

[Miscel. Pap. 36: 238.]

We whoes names are under Ritten under the solemnaty of an oath declare, that after the apointment of the Officers at Windsor that Majr Hoisington Requested of the Committee a inlistment with the Warrent and the Clerk of the Committee Drew sum and gave them to the Officers apointed.

BENJN WAIT, *Capt*
ELISHA HAWLEY,
JOHN STRONG.

NEWBURY, Novr 20th 1776.

[Miscel. Pap. 36: 218.]

Under the solemnity of an oath I declare that at the time when I heard Capt Clay ask Majr Hoisington for the Resolvs of the Congress after his reading them ovour; was at a Publick Hous and hower befor the Committee formd in order to transact Buysiness and it is more likely then not that he did not hear Capt Clay as sd Clay spoke verey lough and Majr Hoisington was on the opposite side of the Table and turning Round; further declared that the Clerk gave my inlistment which was his own hand wrighting and majr Hoisington sent a Coppey of the Resolvs of Congress to Westminster. BENIMIN WHITNEY, *Lieut.*

Sworn before me, November 21st 1776.

SIMON STEVENS, Justt of the Peace.

[Miscel. Pap. 36: 193.]

James Clay Esqr Informs that on the 7th day of August last Heman Allen, Doctor Fay, and Col. Marsh, came as a Committee from the other side of the Green Mountains to Windsor, when the Committees of Cumberland & Gloucester were Setting at that place, and begged to be admited before the Committee; soon after they were admitted and read several papers some of which ascertain the Boundaries they proposed for a New State, and Invited the Committee to Sign a paper they had prepared—Mr Allen at same time told this Informant that he had Consulted with several members of the Continental Congress who advised them to collect the sense of the people on the Subject; that the Informant asked said Allen if he supposed the Continental Congress would take up the affair at this time in case the people did Sign; that said Allen answered no, but that some members of Congress advised them to Petition; for if we submitted to the mode of Government now forming in the State of New York, we should be tied so that we could not get off in a future day. JAMES CLAY.

WESTMINESTER, 21st Novr 1776.

[Miscel. Pap. 36: 192.]

Captt Clay Chairman of ye County Committee at the Town House in Winsor Being meet to appoint Officers for Majr Joab Hoisington' Department of Rangers on the 6th of Augt 1776. Capt. Clay desired Majr Hoisington to Introduce the Business; he then Took out his papers red his Commission, Likewise read his Orders & Instructions From the Honle Provincial Congress; after some Conversation Sd Clay Desired Sd Hoisington to Let his orders & Instructions to Ly on the Table for further Perusal, But the Majr Seamd not Inclined Sd they Belongd to him and accordingly as it appeard to me with some Temper put up his orders & Walked from the Table, Capt. Clay Likewise after the Committee had proceeded to choose him the sd Clay



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Chairman Objected & s^d he did not see the propriety of proceeding to Business without a Corum. M^r Hoisington as I Remember urged the going on Business & said he did not Look upon Absolutely Necessary that a full Corum should be together But that they might proceed to Do the Business with propriety with the members then present & Likewise that any assistance that I lent Maj^r Hosington By Drawing any Recruiting Orders for the Officer was in a private Capacity and not as Clerk or as a member of the Committee & at his special Instance & request.

ELKANAH DAY.

Sworn Before me this 21^th Day Nov^r
JOHN SESSIONS.

[Miscel. Pap. 36: 205.]

Mr James Clay, Chairman of the Committees of Cumberland and Gloucester, informs: that Major Hoisington, on Wednesday the 31^st of July called at the Informants house, and read a resolv of Convention of the State of New York, respecting the Raising a number of Rangers, in said Counties and requested said Clay to send out citations, To the Committee of Cumberland County, to meet those of Glocester, the Tuesday following, at Windsor, and that he s^d Hoisington, would warn the Committee of Glouster to meet him at that time and place, to which s^d Informant objected observing there being Twenty Two Towns in Cumberland County, and many of them remote from the place of meeting, Together with the greate distance from Glocester Rendered it in a manner impractable to collect the Committees of the Two Counties in so short a Time. Said Clay demanded the Resolvs or a Copy of them as he had not been furnished with any Instructions from Convention, relative To the affair which said Hoisington refused and urged said Clay to call the Committee representing the pressing necessity in such terms as prevailed on said Clay to comply with his request. Accordingly the Committee were called and met at Windsor aforesaid there being Nine members of Cumberland and one of Glouster. Said Clay refused proceeding on Business there not being a Majority of the Members of the Counties as said Clay was informed that a Quorum of each Committee was necessary to transact this Business in Conformity with the Resolve of Convention, which Resolve Major Hoisington then read but refused to let the same lie on the Table. Said Hoisington at the same time Insisted a Majority was not necessary after the greatest part of a days Debate, in which said Hoisington took a great share, It was Resolved to proceed on Business—The members then present Chose the said Clay Chairman of the Committee and proceeded to appoint the Officers as is more at large in transaction of s^d Committee. that next morning said Hoisington insisted on said Clay's Signing the Warrants for the Officers appointed the evening preceding which said Clay complied with, but did not swear said Officers as he the said Clay did not know it was necessary, Hoisington haveing kept the Resolution of Convention in his possession & said Clay heard it read once only dureing the setting of the Committee. Mr. Clay further informs that he asked Major Hoisington, who was to Govern this affair or order those men out on duty. Said Hoisington answered he had the ordering of them himself, and that he was under no contrul but ordered them as he thought best, and that since the Signing the warrants, said Hoisington had never applied for any instrutions from said Committee, nor did said Clay ever understand that the Rangers were under the Command of the Committee.

JAMES CLAY, *Chairman.*

Major Hoisington's Examination, Dec. 1776.

[Miscel Pap. 36: 212.]

Being asked why he refused giving M^r Clay a copy of the Resolves denies his ever refusing M^r Clay the Resolves or a copy of them, and that he never refused letting said Resolves lie on the Table. That his reason for insisting on the Committee being called together so speedily was to expedite the raising of the Rangers, knowing the alarming situation the frontiers were in. That the Committee regu-

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lated their own affairs & if his opinion was erronious relative to a majority not being necessary the Committee might have over ruled it. That Mr Clay asked what post the Rangers should occupy and who had the direction of the places they were to be stationed. That Major Hoisington answered that Congress had left that matter with him, and that Mr Clay asked no other question relative to that affair and that he does not recolect the substanee of what passed between him and Major Joel Marsh and that Mr Marsh's not accepting of his Commission rendered him a person not Interested consequently the discourse which passed between them was Immaterial.

Lieut Lyons of Major Hoisington's Detachment of Rangers being Examined saith that Major Hoisington encouraged the Inlistment of men for a limited time and that all that passed between him and the Major on that subject was in presence of Major Joel Marsh, and that the Informent Inlisted thereon four men for six months in consequence of the direction from ye Major. That he cannot recolect what further passed it being some time ago.

[Miscel. Pap. 35: 315.]

We whose names are underwritten under the Solemnaty of an oath declare that at the time of the apointment of Officers in Windsor that Major Hoisington Read the Resolves of Congress and gave them to others who read them over several times, and Major Hoisington seemed desirous to lead the people into the knowledge of what the Congress had done for the Countys and the natur of the servis expected of the Rangers emediately under his inspection.

BENJA WAITE,
ELISHA HAWLEY,
Wm HUNTER,
BENJN BISHOP,
RUBEN DEAN.

WINDSOR, Nov. 29th 1776.

WINDSOR, Nov. 29th 1776.

Whereas Major Hoisington requested of me as Chairman of the Committee of Windsor to administer the oath of Almighty God to the within named subscribers wherein by strict examination they acknowledge this to be the truth the whole truth.

NATH STONE,
*Chairman of the Committee of Windsor.*

[Miscel. Pap. 36: 229.]

Capt Hatch of Major Hoisingtons Detachment of Rangers saith, That he never received any orders from Major Hoisington to raise men on any other Terms than those prescribed by Convention, that the Major observed to him at the same time, if he wanted Two or Three men to fill up his Company, he imagined there would be no risque in inlisting them for six months, as they could be replaced before the Expiration of that Time.

Capt Hatch further declares he has no men in his Company Inlisted for any shorter term than that directed by Convention, And the Inlistment to which his men has subscribed is as follows:

We whose names are under written, do acknowledge to have Voluntairly inlisted ourselves, under Capt Joseph Hatch, who is raising a number of Rangers for the Defence of the Counties of Cumberland and Glouster of whom Joab Hoisington Esqr is Commander in Chief.

Capt Hatch further declares that his men understood by said Inlistment that they were not to march out of said Counties, nor to be stationed Elsewhere. That the Counties of Charlotte, Ulster, Orange & Tryon, were inserted in the above mentioned Inlistment, which were Erazed by order of the Major on Capt Hatch Informing him he could not Inlist men under such Rules. At the same time the said

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Rangers consider themselves bound in Duty as friends to America, to go to the assistance of any invaded part of Charlotte County in like manner as the Militia, And to return to their former Station as soon as said Invasion or Imminent danger is over, and further as Capt Hatch inlisted those men to remain in the Counties of Cumberland, and Gloucester, only! he is well apprized his men will not serve on any other Terms than is above mentioned. That as soon as the appairent dangers of those Counties does Subside, They are immediately to be Discharged. That the whole of his Company were inlisted on the above mentioned Terms, and that Major Hoisington Explained every circumstance in the manner above related. Capt Hatch understood from several of the Committee the Rangers were not to March out of the Two Counties. This information was given in presence of Major Hoisington.

[Miscel. Pap. 36: 209.]

Sergeant Elijah Mason of Major Hoisingtons detachment of Rangers being duly sworn saith,

That he Inlisted in Capt Waites Company to serve till the first of March next as a Sergeant & that he has Inlisted one man for the same term that Major Hoisington told him it was not material if some of the men were Inlisted till the first of March, it being a dangerous time and that they were immediately wanted & that he thought others might be recruited in their stead & that Major Hoisington assured him he should be discharged at that time—that he asked the Major concerning Billiting Money—who told him there was none allowed the Soldiers—that he the Major would supply them with Provisions which caused an uneasiness among the Soldiers—that the next day after their march the Major told them the Subsistance money belonged to them and if they would give him that which was due to them for Subsistance from the time they inlisted, till they marched togather with that which would become due to them, he would supply them with provisions, Camp Kettles &c during the service. That upon this Capt Waite told the men that Bonds should be drawn and signed for the faithfull performance to which they agreed——that he saw written papers given by Lieut Hawley to Christopher Hall a private in Capt Waites Compy purporting that he would be discharged the service some time in March next. ELIJAH MASON.

Sworn before me, November 15th 1776.

SIMON STEVENS, Justt of the Peace.

[Miscel. Pap. 36: 227.]

To the Representation of the County of Cumberland and State of New York:

GENTLEMEN: At your desire Capt Clay Chairman of the Committee for said County has taken pains to call us togather in order to make a Representation to the State afforsaid respecting the Broken situation of this County. It is in our oppinion if we who are only a part of the committee for said County should do anything of that Nature it would make unesiness in this County and we think that as you Represent the County it is your Indispensiable Duty to make a True Representation Thereof.

| | | |
|---|---|---|
| James Clay, *Chairman*, | Luke Knowlton, | Israel Smith, |
| John Bridgman, | Samll King, | Aradc Hunt. |
| Samuel Nichol, | John Sergeant, | |

BRATTLEBORO, Dec. 2, 1776.

P.S. There was but nine members that voted for the with Drawing the letter, and Eight against it, and After the vote was past and a nother that you have a Coppy of, the Eaight members withdrew and brocke up the Committee otherwise the Committee would have Represented the Broken State of the Inhabitance of the County as a Body,

Test: JAMES CLAY,
*Chairman of the County Committee.*

Call at armes for Knolton Coppyes.

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[Miscel. Pap. 36: 225.]

| County Committee. | People consulted with for a new State. |
|---|---|
| Chester, | Jabez Sergant & John Chandler, Esq., |
| Rockingham, | W$^{m}$ Simons, |
| Winsor, | Eben Hoisington, |
| Fullem, | Lieu$^{t}$ Spaldwin, Jo Hildreth, |
| Townsend, | Maj$^{r}$ Tyler, Capt Fletcher, |
| Kent, | Deacon Akin, |
| West Minster, | Nath$^{ll}$ Robinson & Joshua Webb, |
| Chester, | Col$^{o}$ Chandler, |
| N. Marlboro, | Benj$^{a}$ Whitemore, |
| Gilford, | Benj$^{a}$ Carpenter, |
| Rockingham, | Doct$^{r}$ Jones, |
| Putney, | Locklin. |

ABIJAH LOVEJOY.

[Miscel. Pap. 34: 185.]

M$^{r}$ Seeley Informs he spoke to several Members of Congress, Particularly Coll$^{o}$ Smith, of Philadelphia and M$^{r}$ Sherman, concerning Cumberland, Gloucester, &c., being sett of in a new State who thought it an improper Time at present to take up an affair of such a nature, however deemed it advisable To have delegates at New York, or philadelphia, So that they might be ready to answer for themselves, In case New York should attempt to have a confirmation of their Claim over those Counties, and deemed it adviseable to avoid signing any Instrument that would by any means Bind them to New York. So that they Could not renew their pretensions on a future day.

New Hampshire Grants.

[Miscel. Pap. 34: 197.]

Ob. 1. Would it not be proper that Congress should first determine the Jurisdiction as the people of those Counties are willing to submit it to them.

2$^{d}$ Would not the taking of the Quit rent unask'd appear as if we were purchasing those People to a compliance and would therefore take away the merit of such an action, and seem as if we doubted our Jurisdiction over those Counties.

3$^{rd}$ As the legislative body of the State will soon be formed will it not be more proper to submit it to their decision, than a Committee of Safety, a small part of a body chosen by the people for the sole purposes of framing a Government a body who hitherto has Regulated no more of the Internal policy of the State, than there was an absolute and Immediate necessity for.

4$^{th}$ Would it not be proper to call the principle people of those counties before this house hear their complaints and know the Terms they are authorized to Settle upon.

5$^{th}$ Have not many of the hampshire Grantsbeen forfeited by the Grantees. Is it equitable to confirm their titles in preference to a Just one, tho theirs be an older date.

6$^{th}$ Would not the takeing of the Quit rents unasked appear as if we were purchasing those people to a compliance, and would therefore take away the mening of the act, and seem as if we doubted our Jurisdiction over those counties.

7$^{th}$ Are we not rather precipitate in giving up so Great a revenue at a time we are not assured it will have the desired Effect upon the receivers.

8$^{th}$ Many in those counties hold lands in New York by purchase of officers rights which together with the fees comes very high to them, in what manner is it to be Settled when Tenants under those people and others under new Hampshire are settled on the same lands.

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Colonel Bayley to the Convention.

[Miscel. Pap. 38: 231.]

NEWBURY, Feb$^{r}$ 19$^{th}$ 1777.

DEAR BRETHEREN: With the utmost Concern for the Publick welfare of the United States, and this in particular I take my Pen to write. When I consider the absolute Nessecty of an Intire Union of all the Friends to truth—The American Cause I mean—and when I see all the Friends of Hell combined and using all their Deiabolicall arts to Dissunite us and now the Deivel as usuall at the last efforts Changing themselvs into angles of light now pleading you were abused by the State of N. Y. they having taken away your property imposed upon you in every shape you having nothing better to Expect than as heretofore. Now is the time to separate &c and so far has this temptation prevailed that a number (not from this County) has Declared Independance of the State of N. Y$^{k}$ and the Committee of Dorset has Dierected a Convention of all the New-H$^{r}$ grants to Meet at Dorset to fill up by Draft or Raising a bounty Collo Warners Regt however inconsistant to there own plann I suppose the Chieff of Cumberland will Join none from us, but which way for us to Steer I know not. I know the Congress will not contienance them in there independance. we are at the greatest distance of anie of this State we are willing to be Subject to N. Y., but had Rather be Somewhat handier to the Seat of Gov$^{rt}$ as we realy See the want of it I have heard I was chosen to waite on the Congress in behalf of I am also desiered by the Commities to apply to Congress through our own Assemblys for Proctection. Can I come to yow as our assembley or not I cannot as New Connecttncte waite in the Congress whither as the case stands we had not better be ordered to do Dutey with Boston or N-H. I am afraide not from anie thing heard Saide but the natural Concequence that these Counties are in danger of Ministerall proctection. The heads of the Green Men were with me in Nov$^{r}$ They insisted much on my Joying. I refused but told Them first to petition our own Congress which they said should be done the 16$^{th}$ Jan$^{r}$ which I tho't would bring them to you with hopes some measures would then be used to heal old Deficultys but the Reverse hapned at that meeting.

I should have waited on you before now but I really Expected Coll. Olcot was with you Shall attend as soon as Possiable. I should think the Men raised under Hoisington Should be paid and kept for Servise if not held none be paid but them that has done real servise that will not be much, but if they are Continued They may be Servisable in future if the whole money is sent and all that will muster to be Paid and care be taken that no more Billeting is paid than has been in Service.

Tho the Frontiers this way has seemd to leave you yet you will ever care for the whole. I think that [if] ever an Army of Observation is wanted here it is now both on acc$^{t}$ of Internal as well as External Enemys. You will advise as you think best, and rely you will do every thing for the good of the whole without having any regard to Private Views.

I am Gent$^{n}$ Your most obedient Humble Servant,

JACOB BAYLEY.

[Miscel. Pap. 37: 397.]

At a Legal meeting of the Freeholders of the Town of Brattleborough holden on the twenty second Day of April 1777 After Chusing Sam$^{ll}$ Warriner Moderator,

1$^{ly}$ Voted that as we have alwais owed our Alegiance to the State of New York we will still Continue our allegiance thereunto and that we will faithfully and strictly adhear to such Directions as we shall from time to time receave from the Honorable Congres of this state.

2$^{ly}$ Voted that we send an Agent to Represent the minds of the Inhabitants of this Town.

3$^{ly}$ Voted that Israel Smith Esqr Be the Agent apoint'd to Represent the Town.

4$^{ly}$ That obediah Wells, Seth Smith, James Blakely, Sam$^{ll}$ Warriner, and John Griffen Be Apointed A Committee to give Directions to the Agent Apointed for our Representative.

A True Coppe of the Minutes.

SAM$^{L}$ WARRINER.

M$^{r}$ Morris, M$^{r}$ Stearnes, Committee.

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Instructions by the Town of Brattleborough to its Representatives.

[Miscel. Pap. 39: 23.]

BRATTLEBOROUGH, Aprul 25, 1777.

To ISRAEL SMITH Esqr, of Brattleborough in the County of Cumberland and State of New York:

You being appointed by this town, to Represent the Dificult Circumstances this Town is under by means of the Factions which Prevals in this and the Neighbouring Counties—We the Subscribers being appointed a Committee for the purpose of giving you instructions, do instruct you as followeth (Viz) that you represent that a number of Persons calling themselves the Representatives of the County in conjunction with those called the Green Mountain Boys met at Westminster in January last and declared the land known by the name of the New Hampshire Grants a separate independent State. that not half the Towns in this County ware Represented in this meeting—that all the people in this Town are Loyal to the State of New York and think themselves in Duty Bound to put in Execution all orders of the Continental and this State Congress—and that it is the opinion of this Committee that the greater part of the people in the County who own propity are so—that these Factions are carried so high in some parts of the County it is Dangerous speaking against a New State—that you inform this Convention of the many Dificulties that have subsisted in this County some years back.

OBADIAH WELLS,
SETH SMITH,
SAM^L WARRINER,
JAMES BLAKESLEE,
JOHN GRIFFIN.

Report on Affairs of Cumberland County.

[Miscel. Pap. 37: 57.]

Your Committee directed to confer with Israel Smith Esqr Agent from the township of Brattleborough beg leave to report

That the said Israel Smith hath informed your committee that the Township of Brattleborough aforesaid labours under many Inconveniences and Disadvantages some of which are common to the Counties of Cumberland, Gloucester and Charlotte others peculiar to some of the Inhabitants of the first of the said Counties and particularly the Township aforesaid.. Among the former kind the first in order is the uncertainty of titles to Land within the said Counties arising from the Peculiarities of their first settlement and cultivation too numerous to recite in this Report By reason of which uncertainty unless some mode is adopted by the Legislature for the quieting of titles many of the honest Inhabitants of the said Counties must be ruined by legal contest with each other.

The second is the Defect of title under this State which in some Instances could not be obtained from the former Government by Reason of prior Grants and other Circumstances which it may not be proper to mention and which in other Instances was attended with such enormous Expense as to deter many who would otherwise have exerted themselves to procure it. An Evil which cannot be fully obviated but by some General Act for the Confirmation of Lands within said Counties.

The third general Inconvenience complained of is the Distance of said Counties from the former seat of Government by reason whereof the obtaining of Justice is on the one Hand rendered laborious, tedious and expensive to the Inhabitants and on the other the Influence of said Government over such Inhabitants is weak and Dissipated. From whence results a want of energy and vigor in the administration to the great Encouragement of the lawless and wicked and to the utter Distress and ruin of all loyal, peaceable and good subjects.

But The fourth general Inconvenience and which furnishes the broadest ground of Clamor and Complaint is the exaction of heavy quit rent for the lands within said Counties which they consider as an Innovation upon the Rights of Mankind for whose use such Lands were given by a bountiful Providence without Reserva-

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tion and which ought not in their opinion to be charged with taxes other than for the general support & Defence of the State and Government. Besides this they observe that the Regulation is extremely Partial since thereby Lands of the greatest value both as to quality and situation pay no part of a Tax which falls heavy upon the possessors of a rough or even mountainous Country remote from the means of obtaining large supplies of money for Discharging this unequal and of Consequence ineqitable Impost. And to this they add that quit rent generally falls heavy upon the poor man who purchases a small Farm and who is burthened not only with paying all the arrearages due upon it but liable to be turned out and have his property sold by the laws of the State to pay the quits of a large Patent in which he hath no other interest than by having purchased a small Part.

The particular Inconveniances and Disadvantages complained of by the said Township are that by the steady attachment of the Inhabitants thereof to this State and their unwearied opposition to the Independency claimed by sundry evil minded persons in the said counties, the said Inhabitants are not only becoming odious to some of their neighbours but from the Indolence or Disaffection of their Militia Officers incapable of Exerting themselves against the common Enemy they having never yet been called out upon any alarm altho as well from their zeal as their Propinquity to Ticonderoga they might be of great utility whenever the Enemy shall think proper to make an attempt upon that Fortress or its vicinage. They are also much Distressed for want of arms and feel themselves under great streights on account of the Tories who cannot now be dealt with, for altho by the late Resolutions of this convention the said Israel Smith is of opinion that new and more spirited measures will be taken against them yet for the Distracted state of the said County it may be impractiable to collect a county Committee for Defect whereof the said Resolutions may become ineffectual altho perfectly consonant to the wishes and Desire of the People. Upon which said Conference your Committee are of opinion that the *Quieting* or *Confirmation* of titles would be inefficacious before the authority of this State is fully acknowledge within the said counties at which time the Equity of Government will doubtless upon the *application* of its *Good* subjects grant every Relief which the nature of the case will admit of.

That the distance from the seat of Government which is one ground of complaint would not long continue were the whole powers of the State to be confined to such Parts of it as are now settled but must certainly depend under our free and equal Constitution upon the Part which those counties may take and the weight which they easily acquire in the Legislature.

That as to the complaints on the score of quit rents your committee are of opinion that the resolution which is already before the House upon that subject will be productive of those effect which they seem to desire. That the furnishing the said Inhabitants with Arms is in the opinion of your committee utterly impracticable of which their said agent may be informed. That the odium which they have incurred from their attachment to this State is an Evil which cannot be otherwise remedied. That by a change in the opinion of the Inhabitants of the said counties an Event which in the opinion of your Committee will take place as soon as they shall be convinced of their true interests. Upon the Remainder of the said Representation your Committee submits the following Resolutions.

1st *Whereas* it hath been represented to this convention that divers of the Inhabitants of the County of Cumberland who are desirous of continuing the subjects of this State are for divers reasons incapable of Exerting themselves in the general Defence particularly for the want of Proper Officers, therefore

*Resolved*, that it be recommended to such Inhabitants to associate as follows to wit: "We the subscribers subjects of the State of New York do associate together for the Defence of the United States against the King of Great Britain as follows: First we will chuse our officers by vote of the majority in each respective company or Regiment. Secondly we will obey such of our officers as others the Malitia of the said State. Thirdly The names of the said officers shall be transmitted to the Government of the said State and to the General in the Northern Department. Lastly, that this association shall continue in force untill revoked by proper authority."

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2d Whereas it hath been sugested to this convention that the county committee of the county of Cumberland cannot be Collected together but with great Dificulty,

*Resolved* that any committee chosen by the Inhabitants of Three or more adjoining Townships within the said county may exercize the Powers mentioned in the Resolution of the Instant all which is humbly submitted.

This Report was brot in and read May 10th 1777 and ordered to lie on the Table excepting the two Resolutions marked No. 1 and 2 which were agreed to and passed.

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*Proceedings of a General Court Martial Held at Peekskill by Order of Major General Putnam, the 1st June, 1777.*

[Miscel. Pap. 39: 71.]

*Present:* Brigadier Genl George Clinton, *President*,

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| Lt. Coll. Weiseufels, | Majr Samper, |
| Lt. Coll. Smith, | Major Parks, |
| Lt. Coll. Sherman, | Major Voss, |
| Lt. Coll. Livingston, | Major Grey, |
| Lt. Coll. Russell, | Major Wait, |
| Lt. Coll. Mead, | Major Ward. |

Philip Pell Junr deputy Judge Advocate.

Court adjourned till tomorrow morning 9 o'clock.

Met according to adjournment.

*Present:* Brigadier Genl George Clinton, *President*,

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| Lt. Coll. Weisenfels, | Lt. Coll. Mead, |
| Lt. Coll. Smith, | Lt. Coll. Sumner, |
| Lt. Coll. Sprout, | Maj. Parke, |
| Lt. Coll. Sherman, | Maj. Voss, |
| Lt. Coll. Livingston, | Major Grey, |
| Lt. Coll. Russell, | Maj. Wait. |

Philip Pell Junr deputy Judge Advocate,

Collo Henry B. Livingston for trial by this Court, Upon an arrest by order of General McDougal for traducing the conduct of Brigadier General McDougal in ordering the Retreat of the Continental Troops on the 23rd of March last, for neglecting to bring down his Regiment in time on that Day (altho ordered in time) till the Enemy was near the Town and then it was unprovided with Ammunition.

For ordering Mr Smith doing the duty of Majr of Brigade, for his Brigade not to turn parties out of it unless the Order was directed to him the Collonel which is Contrary to the Usage of the Army by which he has embarresed the Service.

For delaying the Returns of his Regiment and Brigade by orders and whims of his own contrary to the known Rules of the Army, and thereby delaying the General Returns of the Army in this Department.

For abusive Language to General McDougall at his own Quarters on the 23d Inst, unbecoming an Officer and a Gentleman in the presence of many Officers of the Army.

To prove the traducing the Generals Conduct in the Retreat, &c, Major Platt being Sworn says that he heard Coll Livingston say it was a Scandalous Retreat, and once in particular that it was a Damned Scandalous Retreat, it being the Day but one after the Retreat, and also on the Day of Retreat communicated the above words of Coll. Livingston to General McDougall the very day Coll. Livingston was arrested. Witness knows that the words alluded to the Peekskill Retreat that Coll. Livingston attributed the Scandall of the Retreat to the Conduct of an Individual whose name was not mentioned. Witness says it was the Opinion of the Officers in General that it was a good Retreat and never heard any person dispise it but Coll. Livingston. Received information of the enemy's coming up between 8 & 9 O'Clock in the morning. that they Landed about noon the Same Day. that



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the total strength of our Army at that time fit for Duty was 238 several of which had no Arms. that Coll Livingston's Reg$^{t}$ made up two thirds of the above Number at least.

Quest. by Coll Livingston to the witness—What time it was he heard the above words of its being a Scandalous retreat.

A. between 12 and 3 the Day after the retreat—Whether Doctor Vache was present at the time the above words are said to be mentioned—Ans$^{rd}$ Yes.

Maj$^{r}$ Platt farther says that orders were immediately after notice Received of the Enemies approaching given to Coll Livingston to bring on his Regiment. Witness thinks that the Coll. Delivered the Orders to a Sergeant, Corp$^{l}$ or private. that Coll Livingstons Regiment got down about one o'clock being after the Enemy landed. that the enemy were on their march a Considerable time before Coll Livingstons Reg$^{t}$ got down. great impatience was discovered in the town on account of his Regiment not getting down sooner especially by General M$^{c}$Dougall himself. after the Regiment got down Coll Livingston Rode up to the General and made application for ammunition the enemy being then just behind the Hill and within five minutes march of the town—that there had been plenty of ammunition to be had. By a Return produced to the Court it appears that Coll Livingston's Reg$^{t}$ on the 9$^{th}$ March drew 4000 Cartridges at the fish kills. that the enemy landed 23$^{d}$ March.

Coll. Cortland being sworn says that they heard of the enemies being in the River the Day before they landed. that it was about 9 o'clock when they had intelligence of their Shipping having got round Verplanks point—that the Num$^{r}$ of Musquets and men armed in the witnesses Reg$^{t}$ did not consist of more than 85. Witness judges that the Enemy consisted of about 600. that there were about 500 Battallion men from his judgment then and Information since. Soon after Coll Livingston's Reg$^{t}$ got down they took possession of the Hill to the northw$^{d}$ of the General Quarters. that the enemy paraded upon the opposite hill very shortly after the Continental Troops paraded upon the aforementioned hill. Witness judges the distance between the two Hills to be in a strait Direction a little better than 300 yards. has also understood that the enemy had six field pieces. that there were no artillerymen fit to man any guns we had at the time. Witness judges that y$^{r}$ are many Tories in Westchester County and disaffected persons who are not easily got out as Militia. Some indeed will not come at all. that a few of the Militia got in after we retreated to the Barracks, but they were from Fishkills as the witness understood—that there was no possibility of getting a sufficient Number of the Militia to oppose the enemy in time. Witness thinks that if they had known where the Enemy would have landed and had collected all their Strength to the Spot they might have opposed them to advantage or Secured a Retreat, but were unable to do it after Coll Livingston's Reg$^{t}$ got down; that if they had attacked the enemy and been defeated they could not readily have got relief and reinforcement, no Troops being nearer than Fort Constitution and Wrights Mills on the east side of the river, and the enemy could have gone where they would for there could have been nothing to prevent it. that the enemy were very near when the General ordered the Ammunition Waggon to be blown up.

*Question by the Court to Coll Cortlandt*, whether he thought that from the time of Coll. Livingstons Receiving Orders he could have gone up to the Barracks and marched down his Regiment time enough to have Gone to the Spot where the enemy landed and have opposed them to advantage.

He answered in y$^{e}$ negative.

Major Quakenbos being sworn says, that there was a large Quantity of Stores at the Fishkills at the time of the enemies landing at Peekskill, viz, about 1680 Tents, a Number of Arms, 8 or 9 pieces of Artillery, some powder, &c., that the Team Cattle at Peeks Kill were in a very low Condition at the time of the enemies landing there.

Capt Dobbs sworn, says that the enemies Shipping appeared Round Verplanks point about 9 o'clock on the 23$^{rd}$ of March, that he saw 12 or 14 flatt Bottom'd Boats besides other Small Boats perhaps 20 in the whole. that some moved towards Peeks-

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kill Landing, at the same time that others rowed into Lents Cove where they landed. How far the Boats moved towards Peeks Kill the witness knows not, that the enemy had one ship of 24 Guns a Galley and an armed Schooner and four or five Transports. Saw men go from on board the Armed Vessels—there was not Room to Quarter 100 Men in peeks kill at that time, that our Artillery men had lain in tents the Chief part of the Winter, that Commissaries and those who dealt out provisions, and others who took care of Boats, and people flocking in upon Business filled up the Houses very much.

*Question by Coll. Livingston to the witness*, Whether the boats that were destroyed might not have been saved if they had been sent to fort Montgomery—

*Answered*, That the witness gave such orders himself they were disobeyed and only One Boat was saved by going up.

Court adjourned till to-morrow, 9 o'clock.

9 o'clock, Court met according to adjournment.

*Present:* Brigadier Gen[l] GEORGE CLINTON, *President.*

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| Lt Coll. Weisenfelds, | Lt Coll. Mead, |
| Smith, | Maj[r] Sherman, |
| Sprout, | Parks, |
| Sherman, | Voss, |
| Livingston, | Grey, |
| Russell, | Hoit, |

Philip Pell, Jun[r] Deputy Judge Advocate.

Then proceeded to the proof of Coll Livingston's ordering Mr Smith, Maj[r] of Brigade for his Brigade not to turn parties out of it unless the orders were Directed to him, the Collonel, &c.

Major Smith being sworn says that there were several orders to turn out parties directed to him (the witness) in every Instance y[e] witness complied with the orders directed as above, that Coll Livingston directed him the witness at one particular time to tell Maj[r] Platt Brigade Major to General M[c]Dongall that there should not be parties turned out unless the orders were directed to him the Collonel, But afterwards told him to Comply with the last order received. that the Coll never positively told him the witness not to Comply with the above orders but seemed always of Opinion that such orders should be directed to himself, and that he, the witness was to receive his orders from the Collonel. recollects one instance in which there was a delay in turning out a party but not thro any order of Coll Livingston, witness desired Major Platt to direct orders to the Collonel which he complied with but once. Maj[r] Platt says that he does not recollect delay in turning out parties from Coll Livingstons Brigade but once more than in others and the reason then was that there was a mistake in the Orders, that Maj[r] Smith told him it was in vain to direct orders to him to turn out parties that the orders Should be directed to the Collonel, in consequence of which the witness directed the Orders to Coll[o] Livingston which was the last that was sent.

*Quest. to Maj[r] Platt by Coll. Livingston* — Whether He recollects the time when he informed Gen[l] M[c]Dougall of his character being traduced by him.

*Ans[r]* that it was on the same day but after his the Coll[s] arrestment between two and three oclock.

Capt. Flemming of the Artillery being sworn says that the state of the artillery at peeks kill at the time of the enemies coming up was very Bad had neither men nor horses sufficient to man or draw off the Guns, that there was only a sufficiency of horses to draw off one Gun that some of the musquetry were drafted for the artillery but went off—Made application for Horses but it was late Before they arrived, thinks that the utmost pains were taken to get off the Artillery, that the enemy were within two hundred yards when the General ordered the Ammunition Waggon blown up. Nothing to prevent an armed Vessel lying in Peekskill Bay and cutting off our communication with fort Montgomery but Artillery placed on the Hill at Peekskill, believes no Artillery Stores were left in Town.

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To prove delays of the Returns of his Regiment and Brigade by orders of his own contrary to the known rules of the army—

Maj^r Platt says Coll. Livingston until he was appointed to the Command of a Brigade always pursued the common mode of Returns but after the above appointment made some deviations in Returns from the Common rules of the Army, by making a Column for Corporals as non Commissioned officers. Witness had seen printed forms of Returns said to be by order of Congress and from his own knowledge of Returns knows that Coll. Livingstons Returns were not according to the Common Rules of the Army,—that he had to wait a day or two for Coll. Livingstons Returns. It appeared to the witness that Coll Livingstons Returns were incorrect thro Design. Witness sent the Returns back two or three Times. That General M^cDougall sent him word by his Brigade Major that he would receive no returns unless they were according to the Common Rules of the Army. That five or six days elapsed between the returning Day, and the time in which the last return was brought in. That Coll. Livingstons returns were not so early as the others being one day after. Farther says that Gen^l M^cDougall told Coll. Livingstons Brigade Major to tell the Collonel that he would have no Brigade Returns with Nota Bene's. That Coll. Livingston afterwards sent in one with Nota Bene endorsed in large Letters which may appear by the Return.

Maj^r Smith carried in the returns of Coll. Livingstons Brigade to Maj^r Platt but Maj^r Platt condemned the Regimental Return and gave him the Witness a form Witness carried another afterwards which was likewise refused. Cannot recollect the Day on which the return was excepted but that the returns of the preceeding week were given in about two days before the return Day.

*Quest^n by Coll. Livingston to the Witness* whether he recollects shewing the form to him the Coll^l

*Answ^r* the Witness thinks he did, and told the Coll^l that Maj^r Platt sent it. Recollects Coll^o Livingstons ordering his adjutants to bring in their returns two days Before they were required. Witness says that Coll. Livingston appeared very uneasy when he told him that the General said if his returns were not sent in punctually in the usual Form he would arrest him.

Adjutant Sacket says that Coll^o Livingston told him he had no Business to keep Copies of his weekly returns, did not positively forbid him but said he did not think it proper that adjutants should keep Copies of returns and that he should give them to him. Witness believes it Customary for Adjutants to keep Copies of their own Returns, says that he did not keep Copies of his returns after the Coll^o said it was improper till lately.

To prove abusive Language to Gen^l M^cDougall by Coll^o Livingston at the Gen^ls own Quarters on the 23 of May.

Maj^r Platt says Gen^l M^cDougall shewed Coll. Livingston his Returns, it being at the Generals own Quarters and asked him what he meant by it. Coll. Livingston replied its done by your Order. Then the General said Can you look me in the face and say it was done by my order. Coll. Livingston replied I can Sir and looked him in the face. The Gen^ll told him it was a egregrious falsehood. Some conversation passed which Witness dont recollect, But Next word heard Coll^o Livingston say By G—d you lie Sir directing his discourse to the Gen^l thinks the General told him he was the first man that ever gave him the Lye, and was it not at his own Quarters he would take his Life from him. Before Coll. Livingston gave the General the Lye the General threatned to put him under an arrest, some little time after the Genl said I will go farther with you I will give you a Gentlemans satisfaction. After Coll. Livingston went out the General followed him out upon the Stoop and said you have given me more plague than all the rest of the army and art a Pest to the army, and that he had done more hurt than ever he could do good, that it was very high on Both sides, that Coll^l Cortlandt, Maj^r Voss, Doct^r Haviland and Doct^r Burnett were present at the time. Witness has often heard Gen^l M^cDougal regret that Coll. Livingston was blamed in the army for the Capriciousness of his temper.

*Quest^n by Coll^l Livingston to the Witness.* When Gen^l M^cDougal told me he'd give me Gentlemans Satisfaction what return did I make?

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*Answer*—You seemed to express a desire or fondness of it.

When Gen$^{l}$ M$^{c}$Dougal said I told an egregious Lye, do you think it was thro passion or thro a design of provoking me?

*Ans$^{r}$* Believed it to be his real thoughts or meaning.

Coll. Courtlandt being at Gen$^{l}$ M$^{c}$Dougalls Quar$^{s}$ heard him ask Coll Livingston why he made such a Return. Coll. Livingston signified it was by the Gen$^{ls}$ order, upon which the Gen$^{l}$ asked him if he could look him in the Face and tell him so. Coll Livingston persisting the Gen$^{l}$ gave him the Lye in plain words. does not remember all the words made use of. they came out of the Room disputing. Heard the Gen$^{l}$ say Coll. Livingston had already given him more trouble than all the Brigade he Commanded last Summer. that he ought to have been put under arrest before. That he was a pest to the army, and had done more hurt than he could make amends for. Whereupon Coll$^{o}$ Livingston told him he asserted a falsehood. Coll. Livingston told the Gen$^{l}$ that if he was not his superior off$^{r}$ he would not dare treat him as he did. Gen$^{l}$ said if he was not his superior Off$^{r}$ he would put an end to his existence, and signified he would give him Satisfaction. Coll. Livingston said it was well when he was out of the army. Coll. Livingston was put under arrest after he told the Gen$^{l}$ it was a falsehood.

Maj$^{r}$ Voss Being sworn says he was sitting on the stoop at the Gen$^{ls}$ Quart$^{s}$ when the above dispute hapn$^{d}$ Heard the General ask Coll. Livingston how he came to make such a return. Coll. [Livingston] answered by your order Sir. The Gen$^{l}$ ans'd can you as an honest man look me in the face and say so? the Coll. said he could and was not afraid to look him in the face, and farther said was you not my superior Officer I should tell you otherwise. the Gen$^{l}$ replied was I not your Superior Off$^{r}$ and was it not at my Quarters I would put you into non Existence. heard nothing further until they had got Upon the Stoop. then the Gen$^{l}$ said here is a Gentleman meaning Coll. Henly acquainted with returns, and presented it to him. the Gen$^{l}$ told Coll Livingston it was an insult at the same time extended his arm toward Coll. Livingston's face. observed then that Coll. Livingston closed up his hand and said don't put your fist in my face. The Gen$^{l}$ then said I as an honest man say it is a Lye. upon which the Coll$^{l}$ said it is false. Witness then went away, and thinks when the Gen$^{l}$ said it was a Lye that he alluded to Coll. Livingstons saying it was by your order Sir—That the Return was made.

Court then adjourned to 9 o'clock to morrow morn$^{g}$ and met according to adjournment.

*Present:* Brigadier Gen$^{l}$ Geo. Clinton, *President.*

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| Lieut. Coll. Weisenfels, | Lt. Col. Mead, |
| Smith, | Maj$^{r}$ Summer, |
| Sprout, | Parks, |
| Sherman, | Voss, |
| Livingston, | Grey, |
| Russel, | Hoit. |

Philip Pell, Jun$^{r}$ deputy Judge Advocate.

Gen$^{l}$ M$^{c}$Dougal requests of the Court that some of the members of the Court might be sworn to give evidence of the treatment they had received from Gen$^{l}$ M$^{c}$Dougal at his own Quarters doing business with him as tending to shew his General treatment to Off$^{s}$ It was the Opinion of the Court that the Evidence the General requested was improper & unnecessary.

Coll. Livingston after delivering his defence to the Court produced the following evidence in support of it:

Coll$^{l}$ Rynier being sworn says he has always known Corp$^{s}$ returned as Non Commissioned Off$^{s}$ in foreign Service and that it was done last year in Canada, that he crossed Kings ferry about half an hour before the enemies Shipping got up and does not think from the time Coll. Livingston received Orders to bring on his Regt. that he could possibly have done it before the Enemy landed.

Adj$^{t}$ Sackett that he received orders from Coll. Livingston to turn out the Regt. in the morning, but don't Remember the hour. Went up to the Barracks No. 2 with all possible speed which was two miles and an half from Peekskill & got the Regt.

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down to Peekskill in about an Hour and half from the time he set out from Peeks-skill accord'g to the best of his Judgment.

Sam[l] Barret Sworn. He saw the adjutant to Coll. Livingstons Regt. set out from Peekskill to order down the Regt. Witness went up to the Barracks soon after him, and found the Adjutant turning out the Men.

Maj[r] Platt recollects Coll. Livingston being at the Gen[ls] and talking about amunition, whether he appli'd for any Witness knows not.

That the Gen[l] has denied ammunition to Coll. Courtlandt.

Pet[r] Vunck Quarter Master to Coll. Livingstons Regt. Being sworn says that on the Ninth of March Last he drew 4000 Cartriges for y[e] Regt., that Many of them were too small for the Bores of the Guns in the Regt. that in the Gen[l] Order for the 4000 Cartriges something was mentioned of spare Boxes of Ammunition; that the Men were to have 24 rounds a Man besides some spare Cartriges, that the evening before the enemy landed at Peeks kill Coll. Livingston ordered the witness to draw two days provisions for the Regt. Knows of frequent application made to Gen[l] M[c]Dougall for ammunition, that he Got a Gen[l] Order for ammunition the evening before the enemy landed which was lost by the Serjeant, that it was late when we got the provisions and the Coll. advised him to wait till Morning Before he drawed the amunition, that in the Morning the return was lost.

Capt[n] Piercy of Coll. Livingstons Regt. being sworn says he complained to Coll. Livingston of the want of ammunition, had not above five Rounds a Man in his Company, knows nothing of the Rest.

Capt[n] Smith of Coll. Livingston's Regt. being sworn says that he had not above five or six Rounds a Man in his Comp[y] at the same time.

Maj[r] Smith who commanded Captn Sackett's Comp[y] in Coll. Livingstons Regt. being sworn says there were frequent Complaints of want of ammunition till after the retreat. Does not remember from the time they left Fishkills to the time of the Retreat, of having more than seven Rounds pr. man.

Doct[r] Haviland being sworn, Being at Gen[l] M[c]Dougalls Quarters heard the Gen[l] telling Coll. Livingston that he would not take such returns for the future with a Nota Bene, that Coll. Livingston Did it with a view to affront him, that he would not take such treatment at his hands, and that he would give him Gentlemanlike satisfaction. Coll. Livingston replied you are my superior Off[r]—Gen[l] told him if he was not he would take away his existence, the Coll. replied prehaps it may Not be in your power—Next part of y[e] conversation was relating to Brigade returns, Coll. Livingston Said he had his orders for it, the General said he told an absolute Lye, Coll. Livingston told the Gen[l] that he was a Gentleman. Witness heard the Gen[l] tell Coll. Livingston he was a pest to the army and had done more hurt in ten days than he could make good in 100 or 1000 Years. Coll. Livingston replied that it was false—that the Gen[l] told Coll. Livingston he lied & then he was put in arrest.

Maj[r] Platt says he heard the Gen[l] say at the above time of the Dispute that Regimental Returns might be made with a Nota bene.

Adjourned till to-morrow morning 9 o Clock.

Met according to adjournment thursday 9 o Clock.

*Present:* Brigadier Gen[l] Geo. Clinton, *President.*

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|---|---|
| Lt. Coll. Weisenfels, | Lieut. Coll. Mead, |
| Smith, | Major Sumner, |
| Sprout, | Parks, |
| Sherman, | Voss, |
| Livingston, | Gray, |
| Russell, | Hoit. |

Philip Pell Jun[r] deputy Judge advocate.

Application was made to the Court by Gen[l] M[c]Dougall for the sense of the Court whether, as Gen[l] M[c]Dougall has New Matters of Charge against Coll. Livingston arising from his written defence delivered to this Court since his arrest, the Court will take them up in the presant trial fearfull if he should prosecute Coll.

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Livingston hereafter of a New he might be charged with a design of harassing him with different Prosecutions.

It was the opinion of the Court that it would be highly improper to admit Charges to be taken up Not contained in the arrest.

The Court after having duly considered the Proofs and allegations of the parties specified in the above Reports, Returns and other Papers offered in Evidence and the written Defence of Coll. Livingston herewith delivered, are of Opinion That tho the Conduct of Brigadier Gen[l] M[c]Dougall in ordering the retreat of the Continental Troops on the 23[d] of March last stands unimpeached to this Court, Yet no sufficient evidence hath been offered to prove that Coll Livingston hath Traduced Gen[l] M[c]Dougall's Conduct in that respect, and it appears to this Court that tho Coll. Livingston's Regt. was at that time unprovided with sufficient ammunition—that it does not proceed from any Criminal Neglect of his own, the Court do therefore Adjudge and determine that the said Coll. Livingston is not guilty of the above two Charges. the Court are further of Opinion that the said Coll. Livingston is not guilty of ordering his Brigade Major not to turn out parties of his Brigade unless the order was directed to him the Collonel—But as to the charge against the said Coll. Livingston of neglecting to bring down his Reg[t] in time on the 23[rd] March last and the delaying the Returns of his Reg[t] and Brigade by orders and Whims of his own, Contrary to the known rules of the Army and thereby delaying the General returns of the Army in this department, the Court are of opinion that the Said Coll Livingston is thereof Guilty—The Court is further of opinion as to the last charge of abusive language to Gen[l] M[c]Dougall at his own Quarters on the 23[rd] Inst, unbecoming an officer and a gentleman, in the presence of many officers of the Army, that tho the Coll. appears to this Court to be guilty of great imprudence and indiscretion in some parts of his Language and Conduct towards the General, with respect to a return made by the Coll. to the Gen[l] yet his Conduct & Language was not such as will warrant the appellation of being unbecoming a Gentleman and an Officer. The Court do therefore unanimously adjudge and determine that considering the nature of the Offences whereof they find Coll. Henr[y] B. Livingston Guilty and the consequences thereupon attendant, that the said Coll. Henr[y] B. Livingston be reprimanded for his offences in General Orders for this department and Cautioned against the Commission of the like in future.

GEORGE CLINTON, *President.*

PHILIP PELL, Jun[r] Deputy Judge Advocate.

10[th] May 1777. I do certify the above to be a true Copy of the Original,
PHILIP PELL, Jun[r] *Deputy Judge Advocate.*

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*Certificate of Deposit.*

[Miscel. Pap. 37: 141.]

I do acknowledge that Henry Wisner Esq[r] has deposited into the Treasury of the State of New York seven hundred and twenty three pounds fourteen shillings and three pence pursuant to a Resolution of the Convention of this State of the 11[th] of February last being the principal & Interest said to be due from him on a Bond & Mortgage to Oliver De Lancey Esqr & David Johnson Esqr

for P. V. B. Livingston Esqr Treasurer,

KINGSTON, May 12[th] 1777. GERARD BANCKER.

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*Petition of Samuel Townsen.*

[Petitions, 33: 536.]

To the Honourable the Council of Safety for the State of New York, in Council convened.

The Petition of Samuel Townsend of New Malborough precinct & State of New

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York, Confined on Board the vessell at the Strand of Kingston for Being thought an Enemy to this State, Humbly Sheweth,

That y^r petitioner some time ago being intoxicated in Liquor inadvertently fell in company with a person, and jokingly said to him that he might Bring five & twenty Dam'd whigs against five & twenty Tories & that the Tories would Beat them there on the plain where they then was (at a place called Latin town) for which a Complaint was entered to the Committee of New Malborough & y^r petitioner was Committed to Goal for the same. That y^r petitioner is sensible that what he said & Did he ought not to have done, and is very sorry for the same, as he should not have acted in that manner had it been in his sober hours. That y^r petitioner hath always Behaved himself as a good & true friend to this State & always Done his Duty with Alacrity when called upon as can be Testified by the first Lieu^t of the Company to which he belongs M^r Jonathan Terwilliger. That y^r petitioner is Ready & Willing to signify his Fidelity to this State to take the oath of allegiance & comply with such other propositions as shall be thought necessary by this Honourable Council for the same. That y^r petitioner has a wife & two children & a helpless mother who is chiefly supported by the Labour of your petitioner, and is at present in a truly pitiable situation by reason of y^r petitioners confinement, to the Great Grief as well as Distress of y^r petitioner. Y^r petitioner therefore humbly prays that this Honourable Council would be favourably pleased to take the premises under their serious consideration, so as that y^r petitioner may be Discharged & Relieved from his Confinement, or such other Relief as to this Honourable Council shall seem meet. And y^r petitioner shall ever pray.

Strand, on Board the Vessel, May 15 1777. SAMUEL his x mark TOWNSEN

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*Petition of Jacobus Rose and Jacob Midagh.*

[Petitions, 33· 550.]

To the Honourable the Convention of the State of N. York.

The Humble Petition of Jacobus Rose and Jacob Midagh, two unhappy Prisoners, now by order of your House under sentence to be Hanged this Day Most Humbly Sheweth,

That altho' their Consiences doth not in the least accuse them of being Guilty of any sin against God or their Country, by doing what they are condemned to suffer Death for, yet your Petitioners are heartily sorry for having incurr'd the Displeasure of your House in so sensible a manner. That as sinfull men it is an awfull and Dreadfull thought to be so suddenly sent to Eternity without any time to Repent of the Sins of our past Lives, and to make our peace with that God who must finally judge us all for the Deeds done in the flesh, that therefore to prepare for this great and awfull trial your Petitioners most Humbly beg they may have a Respite of a few Days, and your Petitioners as in Duty bound shall in the mean while earnestly pray.

KINGSTON, May 13th 1777.

JACOBUS ROSE,
JACOB his x mark MIDAGH.

[Petition rejected.]

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*Parole of Major Edmeston.*

[Miscel. Pap. 37: 131.]

I William Edminston having the Rank of a Major in the Army of his Britanic Majesty and being now in the Custedy and under the direction of the Convention of the State of New York and distined to be sent by them to the Continental Congress under the care of Capt Theodorus Brett, I do hereby promise and declare upon my sacred Parole of Honor as a soldier and a Gentleman that I will in all things Conduct my self in the Rout from this Place to Philladelphia according to the direc-

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tions of Capt Brett and will in no instance absent myself from him without his Leave untill he shall have Presented me to said Congress and they shall have Given direction Concerning me.

Dated KINGSTON, Ulster County, State of New York, May 13th 1777.

WM EDMESTON.

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*Petition of Charles Gylel.*

[Petitions, 33: 548.]

To the Honourable the Council of Safety for the State of New York in Council Convened.

The Petition of Charles Gyler of Kingston & State of New York, Humbly Sheweth,

That yr petitioner Hath been Keeper of the Goal or Prison of Kingston for a considerable time and hath always well and faithfully Discharged the trust Reposed in him. That as yr petitioner is appointed to another place Mr Egbert Dumond who is appointed Sheriff, Hath put in another person as Keeper of the said Goal, And Hath given to the said Goaler all the Prison Fees of the Prisoners which is now confined, and also of several which Hath Been lately Discharged out of the said Goal. That yr petitioner humbly conceives that the half of the Fees of the Prisoners which was Confined in the said Prison till the time of yr petitioners Leaving the said Goal as well as those which Hath been lately Discharged, ought to fall and be paid to yr petitioner, Especially as Numbers of them hath been in several months & yr petitioner hath Laboured both by night & by Day to serve the said Prisoners, Yr petitioner therefore Humbly prays that this Honourable Council would be favourably pleased to take the premises under consideration so as that yr petitioner may have the Benefit of half of the said Fees or such Relief as to this Honourable Council shall seem meet. And yr petitioner shall ever pray.

KINGSTON, May 14th 1777. CHARLES GYLEL.

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*Warrant for removal of Prisoners.*

[Miscel. Pap. 37: 133.]

Ulster County, ss.

To Elisa Hoornbeek and the keeper of the common Goal in and for the county of Ulster.

You the said Elisa Hoornbeek are hereby required with the same Guards you came to my house with Imediately to Convey the Bodys of John Nicols and Anthony Bailey to Kingston and them there safely Deliver to the keeper of the Common Goal with this receipt and you the keeper of the said Goal are hereby Required to receive into your said Goal the bodys of the same John Nicols and Anthony Bailey and them there safely keep untill the same shall be Legaly Discharged as the same persons are suposed to be deserters from the Continental Service or Else are enemical to America Liberty. Given under my hand at Rochester in the County aforesaid this 16th Day of May 1777. JACOB HOORNBEEK,

*Chairman of the Committee of Rochester.*

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*Petition of Silas Gardner.*

[Petitions, 33: 544.]

ULSTER COUNTY, KINGSTOWN, May 16th 1777.

To the onrabel hous of safty for the Staits of New York:

GENTLEMEN: Your pertishner humbelle sheweth that he is know in confinement bound with Tories thes are to beg most grasches pardon from the honrabel hous of safty and I must confes that i have bin misled by privet enemis of this Stait and



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the persons now i name is George hardon and John Mekinssey thay told me that i was maintainen the rong caus which maid me on esey in mind and harden told me if I was so minded as to Go out of the way I mit go on Long Iland and ceap out of the way and I went Down in the month of January and had the smolpox which Detaind me apon Grait expence better than Eight weks and the encorregments that i had I found rong tharefore I com home the 28d of March and Did not Desire to return no mor but my wife told me that my life was thretned and thot it best to Go on the Iland and work the seson and I thot I wood Go down and work for bengaman Smith and Nathaniel Denton, when I left the Iland they told me if i wood com back and work for them thay wood give 5 shilings a day for bilding a barn and repairen Whareas I went Down as far as parhamas and was taken up by the Gards and was cared before the Commite and they orderd me cared befor Cornel Cuper at the Clove and he orDerd me cared to perkipsey and I was brought before the Gentlemen of the hous and was Examined and taken the oath of elegens the 25 day of Apriel and returnd home and 26d taken by bengeman burdsall and Mager logen and Mager tayler and sent to fort McGurmey and thair was tryed by Cort marshel without commiten any crime after Discharged by Mr peckwell and Mr Smith and others which I did not no. these are thairfore to beg forgiveness by wat I can find out i am hurt by fols Evedenc and by them that hes dd me a grudg which ort not rule at these times thairfore I hope the Honrabl hous will consider my Dismal Distress and I have a large famly of seven small children must suffer if I mus be taken out of the world wich I am willing to take the oath of alegens agreabel to the most graches parden which I am how under the same and will abide by till Deth, these are therefore to beg to have a hearen and I can satisfy the Gentlemen of this hous mor beter by words then riten by resen that I had no larning and no not how to inDite a riten whareas your humbel pertishner Do for ever pray.

SILAS GARDNER.

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*Petition of Prisoners.*

[Petitions, 33: 534.]

To the Honbl the Council of Safety for the State of New York in Council Convened.

The Petition of John Rapelyea, Coenradt Mysner, Silvester Van Demark, Cornelius Furler, John Van Vliet, Henry Crippell And William McGinnis prisoners Confined in the Common Goal of Kingston, and sentenced to Die by a Court Martial as Enemies to this State, Humbly Sheweth :

That yr petitioners is deeply sensible and most penitentially Acknowledges that they have been guilty of doing that which they ought not to have Done and have justly merited the punishment due to their crimes but at the same time yr petitioners Relying on that Humanity and Tenderness which this Honourable House have distinguished themselves by and have ever followed that Divine precept which says mercy Rejoiceth against Judgment, yr petitioners have Been Led and with the greatest submission, to offer this their petition, hopeing it may be heard, That yr petitioners was Drawn away and Led into this sad Dilema by evil Disposed persons, and that they saw the Error of their ways too late, That your petitioners Did all of them come Down from the mountain where they was and give themselves up to the Inhabitants and that William McGinnis one of the above petitioners had no Arms with him as was Evidenced at the Court Martial, That yr petitioners have most of them Wives & children and most of them of Indigent circumstances, and is in a Deplorable and pitiable situation, as they must naturally come to want and poverty, should it be so Determined that yr petitioners must suffer to the Great Grief of them & their tender offspring, yr petitioners therefore most humbly prays and with the Greatest contrition of Heart Implores that this Honourable Council

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would be favourably pleased and mercifully Disposed to take the premises under their most serious consideration, so as that Humane and tender Declaration or Ordinance of the Honourable Convention passed the tenth Day of May 1777, may be extended to y^r petitioners and y^r petitioners pardoned from their crimes by a Complyance therewith or Give such Relief as to this Honourable Council shall seem meet.

And y^r petitioners shall ever pray,

John Rappellea, Salvester Vandermark, Cornelius forler,
William M^cGinnis, Conrad Misinre, John Van Vleet.

KINGSTON GOAL, May 16^th 1777.

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*Report on Clothing.*

[Petitions, 33: 540.]

To the Honourable the Committee of Safety for the Steate of New York.

Whereas agreable to a Resolve of the Convention of this State for purching Cloathing for the use of the Quota of Troops for this Steate I have Collict^d or purch'd 90 Blankets & 138 pr Stockings at Different prises as per Bill, All which I Deliv'd to Capt^n Kerse As^t Qurt^r Master s'd Capt^n Kerse (as he says) Deliv'd them on board of a Vessial Commanded by M^r Welsh bound for fishkill landing in order to be deliver'd to the Committe there opint'd for that purpose but s^d Welsh says he Deliv'd them to Cornl^s Bogardus, s^d Bogardus deliv^d them (as he says) into the Continental Store at Fishkill town but when Examen'd there was but 55 Blankets & 100 pr Stocking. Now your Humbel Petticioner begs your assistance or Directions how to proceed in order to recover these Deficiences, for all those who has Deliv^d those goods to me (or to the Collectors I apint'd) will oblidge me to pay them their Monies.

From your Humb^l Serv^t
JOHN COE,
*Dept. Chairman for the South District of Orange County.*

ESOPUS, 17^th May 1777.

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*Petition of Philander Forbes.*

[Petitions, 33: 542.]

To the Honourable the Council of Safety for the State of New York.

The Humble Petition of Philander Forbes, Sheweth

That my son Gilbert Forbes was apprehended in the City of New York sometime last June by Order of your Honourable Board or the Convention of this State for certain acts alleged against him enemical to the liberties of his Country for which he was soon after sent to Litchfield Goal in the State of Connecticut, where he has remained closely coufined ever since, and he has lately informed me by letter that on Governor Francklen being brought to Litchfield he was removed from above to below stairs to a very uncomfortable and unhealthy Room having no light or air but what enters through a hole about six inches square, in consequence of which he begged me to apply to the Convention of this State to grant him some Enlargement from his present confinement. Your Petitioner therefore humbly prays your Honourable Board to take his unhappy case into your consideration, and grant him such Relief therein as to your Honourable Board shall seem meet, And your Petitioner shall ever pray.

May 19^th 1777.

(Indorsed.) Ordered to lie for the perusal of the members.

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*Officers of the 4th New York Regiment.*

[Miscel. Pap. 37: 129.]

Rank Roll of the Officers of the 4th New York Regt as adjusted by the Field Officers of said Regt agreeable to General Orders Dated Head Quarters Morris Town May 20th 1777.

*Captains.*

| | | | |
|---|---|---|---|
| 1 John Davis, having a Cont. Com. as Capt. dated | | | 24 Feb. 1776. |
| 2 Wm Jackson, | do | do | 24 Feb. 1776. |
| 3 Samuel Sacket, | do | 1st Lieut | 28 June 1775. |
| 4 Jonn Persey, | do | do | 28 June 1775. |
| 5 Nathan Strong, | Satisfyed with this Rank. | | |
| 6 Benjn Walker, | | | |
| 7 Israel Smith, | | | |
| 8 Jonan Titus, | | | |

1st *Lieutenants.*

| | | | |
|---|---|---|---|
| 1 Benjamin Marvin, having a Cont. Com. as 1ts Lieut | | | 28 June 1775. |
| 2 John Lloyd, | Do | Do | 27 Feb. 1776. |
| 3 Wm Havens, | Do | Do | 4 Mar. 1776. |
| 4 Nathl Norton, | Do | 2d Lieut | 28 June 1775. |
| 5 Edwd Conklin, | Do | Do | 1 Mar. 1776. |
| 6 Thead Fowler, | Do | Do | 10 Aug. 1776. |
| 7 Edward Dunscome, | no former Continental Comn therefore left as arranged by Convention. | | |
| 8 John Van Antwerp, | | | |

2d *Lieutenants.*

| | | | |
|---|---|---|---|
| 1 Silas Grey, having a Cont. Com. as | | 2d Lt | 20 Jany 1776. |
| 2 Peter Elsworth, | Do | Do | 24 Feb. 1776. |
| 3 Cornes Baker, | Do | Do | 24 Feb. 1776. |
| 4 George Smith, | Do | Do | |
| 5 Sylves Conklin, | Do | Ensign | 4 Mar. 1776. |
| 6 Peter Van Bunscoten, | no former Continental Comn therefore left as arranged by Convention. | | |
| 7 Thomas Hunt, | | | |
| 8 Ab. Hyat, | | | |

*Ensigns.*

| | | | | |
|---|---|---|---|---|
| 1 Caleb Bruster, having had a Cont Warrent as | | | 2 Lt | Feb. 1776. |
| 2 Isaac A. Rosa, | do | do | Ensign | 24 Feb. 1776. |
| 3 John Punderson, | do | do | do | 27 Feb. 1776. |
| 4 Gill Strong, | no former Continental Comn therefore left as arranged by Convention. | | | |
| 5 Rades Van Hovenberg, | | | | |
| 6 Joes Frylock, | | | | |
| 7 James Barret, | | | | |
| 8 Simon Crigier, | | | | |

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*Petition of Prisoners.*

[Petitions, 33: 476.]

To the Honble Council of Safety of the State of New York.

The Petition of William McGinniss and sundry other Persons Now confined in Jayl and under sentence of Death, Most Humbly Sheweth,

That your Petitioners at the time they committed those actions or Crimes for which sentence of Death is Now Passed upon them Did not know of any Law of any Kind existing to make any Person committing such actions or crimes subject to any Penalty. Had such Laws, Rules or Orders been read off at the Head of the Regiment or respective Compy's to which your Petitioners belonged they would be the more inexcusable for a Breach thereof and therefore think their fate so much the

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harder that they are to suffer for the breach of Laws that they were intirely Ignorant of, or Rather for doing what they then thought Most for their safety. That several of your Petitioners have wives with Large families of children who must suffer and become objects of Expense to the community if the Present sentences be put in execution against your Petitioners, whereas should we find favour in your sight, Both they and we might become usefull members to the State. That it may please the father of mercies and Great Judge of the Universe to Dispose your hearts to forgive as you would be forgiven, according to that Gracious Promise of our Lord and saviour Christ, is the earnest Desire of your Petitioners who shall as in Duty Bound ever Pray,

William McGinniss,
John Van Vliet,
Silvester his x mark Vandemark,
Silas Gardner,
Abraham his x mark Midgh,
Andrew his x mark Kisear,
19 May 1777.

Jacob Longyear,
Conrad Misiner,
Richard his RO mark oakly,
Arthur his A mark McKenney,
John Râppellea,
Cornelius his x mark forler.

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*Certificate of Oath of Allegiance.*

[Miscel. Pap. 38: 46.]

State of New York, } This may Certify that on the twentieth Day of May one
Dutchess County. } Thousand Seven Hundred and Seventy-seven, Asa Wallbridge Personally appeared and Voluntaryly took the oath of Allegiance to the State of New York Prescribed by the Hon^ble the Convention of the Said State Contained in their Declaration or ordinance of the tenth of this Present May. Rispecting the offering free Pardon to those Subjects of the Said State as have gone over to the Brittish troops &c. before me EPHRAIM PAINE,
*Justice of the Peace.*

taken and sworn the Day and year above Written.

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*Affidavit of Simon Newall.*

[Miscel. Pap. 37: 111.]

On the last of April or the first of May 1777 which I do not at present remember being suspecious that John Likely was a Person unfriendly to the Cause of America, I obtained liberty of gen^l Wolcott to take a Proper Person with me and call at his House for entertainment, at the Evening my Design was to Personate one Dissafected to his Country and on my way to join Gen^l How and ingage in his service as Many as posible. I went acordingly and with me Eleazer Curtis. John Likely after we had divulg^d our Business Rejoiced at it and gladly receive us as true subjects of King gorge. many things were said by him & us Relative to the Rebel Army and Gen^l Hows, in all of which he evidently manifested a firm attachment to and friendship for the latter but an avow^d dissafection to the former calling them *the Whigs, The Rebels, the Hot Heads, &c.*

We also told sd Likley our Design was to spy out a way in which we could bring down a number of Men for gen^l How, then likely said I have repeatedly in the course of last winter and this spring Harboured, assisted and Pioleted King Gorge subjects on their way to N. York and ever will when in my power assist and help the side of Goverment, further says I have Intelligence from N. York every week, and soon expect to see the Regulars in possession of this Place and then 'twill be better times. I then ask^d him how and when I should find friends to my purpose and that

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were True subjects to the King that I kneed not fear to tell my Buisness. he then said Antony Umaman was a good man & true subject, also Peter Drake, Benj$^{n}$ Field, one Lomaree and Fretenborough near Croten and Could help me over Croten River, s$^{d}$ likely gave me the strictest caution possible not to be taken by the Rebel Guard or Army for that if we were taken we should surely be Hanged, told us (supposing us to be strangers from the upper nine Partners as we told him) all the movements of the Provential Army and of their march towards Danbury, and further said the friends of goverment had Persons Redy when ever gen$^{l}$ M$^{c}$Dougal marched to carry the intelligence to the Regulars, then walked out from his house to direct us the way to Antony Uman. this in the morning told us which houses were Whiggs and which subjects for our safety. we now arrive at Antony Umans acrost Lots something Back on our Pretended Road. Antony Umans after cautiously enquiring who and what we were became verry frank, said he had assisted and keept in his House many of the same design, was glad of the oppertunity, said he was a Committee man but he could not help it that he seldom sat with them had been Drafted as a soldier and once went a short Campaign but twas to still Peoples talk and save him self from Trouble. he advised us not to cary enlisting orders for that all such were Hanged that old M$^{c}$Dougal was D—d sharp. sundry had been shot and Hanged and for all most nothing. say$^{d}$ he would assist us all he could but he was suspected and must be verry Cautious, said he had directed and Piloted on their way many before us, said he had a Quantity of Wheet which he keept for the British Army and would not sell for this Damned Congress Trash for which he could buy nothing of any Consequence unless some Rum or Shugar at the sutlers. said he had bought a bar of Iron that he did not want but thought twas better than Congress money, then Directed us to Reuben Drake as Chairman of the Committee who Antony Uman Positively said had given Passes to people on the same Design, to secure them from the Rebels and to enable them to pass the Rebel guard and said we were strangers and Perhaps could not get a Pass, but he himself could. said we better not go without a Pilot or a Pass and asign$^{d}$ as his reason that if we were taken by the *hot Heads* we should be Hang$^{d}$ went out and show$^{d}$ us Particularly where to go for Drakes, D. Strang, B. Fields, Lounsburies and Fretenbourough at Croten. we then Passed to Reuben Drakes where were a number of men and neighbours who we were fearful would Discover us and frustrate the Plan. My Mate now was unwell with the Fever and ague. we were Traveling on the Road and ment soon to turn towards the Barracks when the foresaid John Likely overtook us and said you Better not go on the road. turn acrost that lot (Pointing to a wood) I will meet you on yon side and direct you. we then unseen made our way to our Camps for that night. I informed Gen$^{l}$ M$^{c}$Dougal of what passed. his Hon$^{r}$ said go on by all means. follow the Clue. I then took S. Hoskiss with me and repaired to Peter Draks who gave us the same Intelligence and was the like friendly. from thence we arrived at Daniel Strangs where we found everything favouring our purpose of joining King George. D. Strang was not at home. the Family urged us to tarry till M$^{r}$ Strang Returnd who they said would gladly give the best Directions Possible. he the Daniel Strang Came as we wished. told us we better not stay there for many of the Rebels or Provintial Army came there and might be Taken up by them. said he was very glad to help any body that was so well minded but he was Old and could not do much on either side but wished well to and wanted to help all he could the side of the King. Told us of the same friends on the Road before mentioned. said we must not go in the Road to Benj$^{n}$ Fields but he would send his son to show us the way Crosst lots and to go into Fields and see if he had any Continental Officers or soldiers to misstrust us or take us up. said we must be exceeding carefull for the Army Hanged a good many. told us of his sons being Executed almost for nothing. told us to call when we came back for our men which we said we had behind coming down. said he would help us and them all he could. wished us success and sent his son with us to B. Fields. When we arriv$^{d}$ Strangs son according to his Fathers advice went to see if the way was clear for us in the House. we in the mean time remained at the Barn. soon Returned and Told us Mr Field would keep us the Night. we then entered saluted him as a friend to

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goverment. Mr Fields talked Cautiously (or in other words Consistant with Quakerism). told us we were safe with him the Night but seldom could we find the time when he had not officers or soldier of the Provincial Army in his House. said he never ment to fight on either side. he chose to stay at home and would be glad the liberty People would let him alone. he would hurt nobody if they would not molest him. advised me to return home. thee (says Field) had better go home again and let everybody alone be sure you had if the Liberty People will let thee alone. it is a Dreadfull thing to fight and kill folks. I then told him I could not live at Home in Peace but should be Drafted for the Continental Army and if I must fight I would fight on the Right side and stand for my King. Fields Reply was thus—Ay, friend thee art Right again, but thee must be exceeding carefull for if thee is taken and caried into Peeks Kill twill go very Hard with thee. said we must go to Volentine Lownsburys and we should be safe. also said the next House to his below were Whiggs. we had better go through the lots and pass his house and all the other Houses till we came to Croton river, were true subjects & would assist us. Field said his Neighbourhood are almost every one true and have never done nothing against the King. we live peaceable and dont mean to fight. says further I do not think there is another such a neighbourhood in fifty miles. there has a great many been along this way going to join Genll How (here I slept.) very early in the morning Field Calls at the Bed Room and says my Friend if thee would not be seen thee had better go soon before anybody should Come for I am afraid if thee art known and where thou art going they (meaning the whiggs) will Distress me and thee too. thee had better be going and get further from the Public Road, then thee will be safe. he then directed me a crost such two lots to pass one certain House then we might go on to Lownsbury and Fretenborough with safety, for all were friends. we arrived at Breakfast time to Lownsbury. he informed us of one Huson and one Far just below. he would direct us so we could not miss them. twas at one Tompkins where we soon Came and found Thomas Levinus who soon enquired our Business. we told him the old story we had told them all. God bless you then (says Levinus) you are not the first and I hope not the last who will go over to the Kings side. I asked for Huson. he said he was not far off. that huson had a number of men and ment to go into New York that very night and he was a Dam'd good fellow and had another Dam'd good fellow with him meaning Far (who I afterwards took). he further said huson was to dine with them at noon and we had better go up yonder hill (pointing to the place which was in sight) and keep a good look out and he would send word to huson. said he was going down to Fretenboroughs. he would see that Huson was notifyed. sayd Huson would be D—nd glad to see us for he wanted to get all he could. Tompkins now came home. talk$^{d}$ the same Language. I now set out for the Hill. Tomkins and Levinus promised to go or send and call Huson. on this Hill we tarried 2 or 3 hours while they Despach$^{d}$ a Mesenger for Huson. weary of the hill we went down to Fretenboroughs half a mile below who Told us Huson was sent for and gone to see us. we soon Returned to the hill. had not long sat before we saw four men below toward Tomkins two in arms and two without gazing toward the hill. one of them twirld his hat as for us to come down but we kept our station till Tompkins came to us and said there was no danger twas Huson and his mate below (and Mr Sherad if I mistook not). we went to them after much said and feared on both sides. we became friends and agreed to dine togather at tomkins. Tho$^{s}$ Lavinus was at tabel and God Bless$^{d}$ the good luck that so many had gone and were going to How. hoped the Dam—nd Rebels would get Defeated and more to the same import. Lent far told us he came from the great nine partners. had been with Huson some time. had two mates Came with him but they were taken by the Dam'd Rebels which he swore he never would for he would fight till he Died before he would be Taken. said his Design was to go into York. said Huson and himself could go when they Pleas$^{d}$ for they knew all about the Damd Rebel Guards and they had good Guns and amonition enough. said he ment to set out with Huson that very night but was glad to wait till the next Monday night for our Recruits which was the Time we agreed to meet at Tomkins House. Lent Far manifested every expression of

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joy at so many Coming to join their Party. Far said he had been in the Rebel service but he never would again. said huson and his business was to plunder the whiggs and they had as good will to kill them as a Dogg. Far said he had known many to go into N. York and many more would. said he would go and join How himself and fight his way through the Reble guards to get there or Die. we all Dined Heartily, Drank King George Health and Hows, confusion to Congress and Washington, &c, then left them to join our party.

Sworn to before me the 20th May 1777, SIMEON NEWELL.

PHILIP PELL, Junr., Deputy Judge Advocate.

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*Petition of Levi Quimby.*

[Petitions, 33: 524, 526.]

To the Honourable Council of Safety for the State of New York.

The Humble Petition of Levi Quimby whose name is hereunto subscribed, Humbly Shewit,

That whereas your Petitioner on the first of March last past met with three men whose names entirely slipt my memory being by them persuaded to leave my habitation, wife and children and went down to New York while their on York Island being informed by a man from New Jersey that the Honourable Convention of the State of New York had passed an act of grace offering free pardon to subjects that had committed treasonable acts against this State and that wood return again to their allegiance. In consequence of said information your humble petitioner left New York Island the 14th of this Instant to take the Benefit of the act of grace pursuant to the declaration or ordinance of the Convention of the State of New York passed the 10th of this Instant offering free pardon to such of the subjects of the said State as having committed treasonable acts against the same shall return to their allegiance. Your petitioner appeared before Major Lewis Du Bois one of the Field officers of Coll Jonathan Hasbrouck's Regiment of Militia on the 19th of this Instant and took the oath prescribed in said Declaration or ordinance above recited, and herewith produce the Certificate of Major Lewis Dubois and pray the Honourable Council of Safety to pardon all and every treasonable acts and Deeds by me committed heretofore against this State, and your petitioner begs to be restored to a participation of all the rights, liberties and preveledges appertaining to the good people thereof. And your Petioner shall ever pray.

May 21, 1777. LEVI QUIMBY.

NEW MARLBOURGH, May ye 19th 1777.

I do hereby certify that the bearer hereof Levi Quimby has this Day appear'd before me and took the oath of allegiance to the State of New York agreeable to a Resolve of the Honourable Convention of the State of New York passed the 10th Day of this Instant as witness my hand Day and Date above.

LEWIS DUBOIS, *Major.*

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*Petition of Thomas Marston.*

[Petitions, 33: 528.]

To the Honourable the Council of Safety of the State of New York.

The memorial of Thomas Marston Humbly Sheweth,

That your memorialist after the arrival of Genl Howe at Sandy Hook pack'd up three Chests containing part of the wearing apparel of his children and Family with their Linen and some Household Linen and some Shirts of his own and placed the same under the care of Mr Leroy & Capt Rutgers who where then moving their Family & Effects into the County of Dutchess in whose custody and possession the three chests now remain. that your memorialist altho' upon the evacuation of New York desirous of moveing therefrom yet could not so move with his family of six

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children having shortly before lost his wife and your memorialists Father on whom both he and his numerous family have a very considerable dependance having desired your memorialist to continue with him, which considering the age and Enfirmaties of his said Father your memorialist thought himself in duty bound to do. that your memorialist hath obtained permission from General Howe to come and apply to your Honourable Board for the said goods & Effects and your memorialist humbly prays the Councill of Safety will permitt him to receive the same and give him permission to pass with them to his family who are in want of the same and your memorialist shall ever pray

KINGSTON 20 May 1777. THOMAS MARSTON.

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*Hendrick Frey to Abraham Yates.*

[Miscel. Pap. 37: 105.]

SIR: I beg you will be pleased as soon as an opportunity offers to lay this togather with a state of my Captivity before the Council of Saftey and I make no doubt but shall be permitted to return to my Family who are in the greatest Distress for want of my presence I am D Sir your humble servt,

20 May, 1777. HENDRICK FREY.

To ABRAHAM YATES, Jun.

Parole of Henry Frey.

I Henry Frey do solemnly swear in the Presence of Almighty God that I will not by words or Deeds give any Council, advice, directions, aid or Comfort to any the Enemy of the United States of America which may tend in any measure prejudicial to the said States, nor have I by myself or any other Person in my stead or at my request sued for or by any means obtaind or received a Protection or Pardon from Lord or General Howe or either of them or from any other Person or Persons authorized by them or either of them for granting the same nor am I nor have I been privy or knowing to any Plots or Conspieracies that are forming or have been formed against the United States of America.

HENDRICK FREY.

Sworn befor me Jacob C. Ten Eyck Esq one of the Judges of the Inferior Courts of Common Pleas for the City and county of Albany 20th May 1777.

JACOB C. TEN EYCKE.

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*Return of Enlisted Men.*

[Miscel. Pap. 37: 101, 103.]

A Rool of the men enlisted in the service Persuant to a Resolution of the Convention of the State of New York Dated April 29th 1777.

| | | | |
|---|---|---|---|
| May 4th | Jacob Roosa, | May 5th | Benjamin Cryspell, |
| Do 5 | Jacob Duboys, | Do 7 | William Muir, |
| Do Do | Robert Masten, | Do 8 | Jacob Clyn, |
| Do 6 | Egbert Roosa, | Do 14 | Johannis Clyn, |
| Do Do | David Delametter, | Do Do | Jacob Bunshoten. |

HARLEY, 21st May 1777. pr Me: CORNELIUS DUBOIS, *Lieut.*

A Return of the men enlisted by Jno C. D. Witt, May 21, 1777.

| | | |
|---|---|---|
| Stephen Nottingham, Sergt. | Jacob Van Wagenen, | Hendricus Bogart, |
| Anthony Crispell, | Hendricus Brinck, | John Konstable, |
| Petrus Van Wagenen, | Jacob T. Keator, | William Hume, |
| Benjamin Van Wagenen, | Hendrick Nukerck, | Dirck Krom. |



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*Examination of Colonel Snyder, May* 16, 1777.

[Miscel. Pap. 37: 19.]

Col Snyder says the Briga[d] orders were made out by the officers by Gen[l] Clintons advice. he moved for the question whether the state is invaded which was carried in the affirmative whereupon it was resolved that there are no exempts he then Ordered his Capt[s] to call out all from 16 to 50 those exempted by the militia Law not excepted. Capt. Hardenberg returns to him the List of those drafted out of his Company among which was Charles Dewit's Negro Peet. he produced the genl[s] Orders & his order to Col Elmendorph thereon—the Col being asked why the Resolve of the Field officers was passed he said he moved it to know whether the Exempts were to be called on. The Col being asked whether he supposed the militia Law made it his Duty to take the members of the convention and send them to Fort Montgomerie—says he did not supose it did—being asked whether he did not know whether Charles Dewit was not a member of this House—answers he did—being asked whether he did not order his inferior officer to send those Delinquents of which Charles Dewit was one, down to Fort Montgomerie—answers Yes but he did think the Capt wou'd have apprehended him—being asked whether he Capt Hardenburg did not consult him on the subject of taking Colo Dewits negro as he was unprovided with & whether he did not tell the Capt that if they were not armed there was work enough to be done.—The Col acknowledged that the Capt sent down the name of Charles Dewits Negro Peet, but that as the negro was not included in the Militia Law he could not issue any order as to him—therefore inserted the name of Charles Dewit—that he supposed the Capt would have waited on Mr. Dewit and that if he did not chuse to let his negro go he would have contributed some money.

On reading the return made by Capt Hardenburg to Col Snyder it appears that Dewits negro Peet was the Defaulter notwithstand'g which the Colo took upon him in his Order to the Capt to send down the Delinquents to insert Charles Dewits name instead of his negro knowing at the same time that M[r] Dewit was a member attend'g in Convention. Col Snyder was ordered to withdraw till further Orders thereupon ordered that Gen[l] Scott, Mr Jay & Mr Morris be a committee to Draw up a State of Facts on Col Snyders case and report the same without Delay.

[For Report, see Journal N. Y. Prov. Cong. I. 943.]

[[Miscel. Pap. 37: 21.]

John Addison being Sworn and examined by & before the council of safety for the state of New York, deposeth & saith that on the 31[st] March last a council of officers of Brigadier Gen Geo Clintons Brigade of Militia was held at the house of the widow Falls at Little Britain in Ulster County at which the Sd General was present, that the Dept acted as Clerk to the said council and that the Buisness of the said council was to consult and dertermain on the number of men necessary to be taken from the Malitia for the Defence of the Forts and Pases in the High Lands and of the manner in which they should be raised.

That the sd council were of the opinion that it would be necessary for the Purpose af[d] to call into actual service one third part of the Malitia of Ulster & Orange.

That the sd council then came to two Resolutions which he believes are in the words following to wit

*Resolved* that it is the opinion of this meeting that this State is presently invaded.

*Resolved* 2[d] therefore that the Exempts be included in the third part of the Malitia to be raised as above.

That while the sd council were setting this Dept by their direction and with the assistance of the said General prepaired a Draft of Brigade Orders for calling out the one third part of the Malitia Af'd. that the s[d] Draft was approved. that a paper now shown to him by this council and which had been delivered to them by Col Snyder as y[e] sd council informs him marked A & purporting to be a copy of the Sd Brigade Orders is as he believes a true copy thereof except that the two resolutions above mentioned relative to the States being invaded and the including Exempts in

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the said third part of the millitia af$^{d}$ which appears to make part of the Sd Copy were not inserted mentioned or recited in the original Brigade Orders aforesaid and the Deponent saith that he does not know that the said General gave out in orders of any kind that the sd Resolution respecting Exempts sh$^{d}$ be executed—That he has reason to believe that copies of the s$^{d}$ last mentioned Resolutions were not given out with the s$^{d}$ Brigade Orders. That the day after the setting of the sd council this Deponent on his way to Kingston stoped at the House of one Woods a tavern keeper on the road where Col$^{l}$ Snyder overtook him. that while there Col$^{l}$ Snyder observed to him that the Buisness was not yet half done for that the Brigade Orders af$^{d}$ did not contain or mention the Resolutions af'd respecting Exempts whom to satisfy the people he was desirous to call out, adding that as the sd Resolution had passed in Council it ought to have been given out in orders—that Col$^{l}$ Snyder asked this Dept whether he could remember the identical words of the sd Resolutions to which the Deponent answered that he believed he could. That then Col$^{l}$ Snyder produced a copy of the Brigade Order af$^{d}$ and desired this Dept to add the sd Resolutions there. That this Dept said he did not chuse to do it but that if the Col$^{l}$ w'd request him to write it for him he w'd. that the Colo then requested him to do it. he accordingly did it by writing the same at the Foot of the said Orders.

JOHN ADDISON.

Sworn and examined the 22 May 1777 in Council
and in the presence of Col$^{l}$ Snyder.
PIERRE VAN CORTLANDT, President.

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*Oath of Allegiance.*

[Miscel. Pap. 37: 136.]

I do solemnly swear and declare in the Presence of Almighty God that I will bear true faith and allegiance to the State of New York as a good subject of the said State and will do my duty as such a subject ought to do.

May 22$^{d}$ 1777 Henry Livingston; as Clerk of the County of Dutchess.
do Ephriam Paine; as first Judge of the same.
do Zepha Platt; as second Judge of do.
do Melancton Smith; as Sherif of do.

To the Council of Safety of the State of New York. I John Schenck within named do humbly return that in obedience to the within writ I did on the 22$^{d}$ May 1777 cause Ephriam Payne Esqr First Judge, Zephaniah Platt Esqr Second Judge, Melancton Smith Esqr Sheriff and Henry Livingston Esqr Clerk of the County of Dutchess to take and subscribe the oath of allegiance and to take their respective oaths of office agreable to the directions of the Ordinance within mentioned.

POUGHKEEPSIE, May 22$^{d}$ 1777. JOHN SCHENCK, J$^{r}$

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*Petition of Dennis Kennedy.*

[Petitions, 33 : 522.]

GENTLEMEN: As a subject of this State I appear before you to beg Protection in an affair which has already greatly distressed me, and if not prevented by your kind Interposition has a Tendency to ruin me totally. Presuming Gentlemen that you are chiefly acquainted with my affinity to M$^{r}$ Corne, it may be necessary to mention that previous to his departure, he earnestly desired that I should come and live on his Place, which the Commissioners of Conspiracies &$^{c}$ approved of and recommended to the Commiss$^{rs}$ of Sequestration who did not object, In consequence of which I moved down there, flattering myself that in consideration of the extensive Privileges M$^{r}$ Corne had obtained for those People for whose removal from Long Island he first went to solicit leave from Gen$^{l}$ Howe that I should remain in the quiet possession of the Place, and such things as M$^{r}$ Corne left with me (by way of Recom-

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pence for two years service I did him and never rec$^{d}$ 6$^{d}$ before). However he had not been gone two days when the said Commiss$^{rs}$ of Sequestration came & sold every moveable Thing he had left me. They also claim a Negro man who was particularly mentioned in the Passport to go along with his master, but as the Fellow was averse to going on acc$^{t}$ of his wife in the Country M$^{r}$ Corne gave him also to me. General M$^{c}$Dougall was pleas'd to favour me with the inclos'd Copy of the Terms &$^{c}$ upon which M$^{r}$ Corne was permitted to remove and I trust Gentlemen that on a Perusal of s$^{d}$ Copy, and in consideration of the above Facts it will in your wisdom appear right that I should be continued on the Place, and also have the Effects returned me which were sold as aforesaid. I forbear to trespass any longer on your Patience, but relying on the goodness of this worthy assembly I beg leave to subscribe myself with the greatest Respect,

Gentlemen your most obedient humble Servant,

Saturday 24$^{th}$ May 1777. DEN$^{s}$ KENNEDY.

The Honb$^{le}$ Council of Safety.

[Kennedy was son-in-law of Peter Corney. See his affidavit in Jour. Prov. Cong., I. 959; also see post. July 4.]

Council of Safety to the Commissioner of Sequestration.

[Miscel. Pap. 37: 95.]

KINGSTON, May 24$^{th}$ 1777.

GENT: We Inclose you a copy of a Letter of Mr Dennis Kennedy and copies of other papers relative to the Case of himself and his father in Law Mr Corne—Our application to you is founded on our appointment as a Committee on the subject of the Council of Safety for this State. a copy of our appointment is also enclosed. From a Knowledge of your character and the presumption that ought to be had in favor of the public officers of this State. We Doubt not that you have done what appeared to you to be your duty in exposing to sale a part of Capt Cornes Effects and that in your Intention to Deprive Mr Kennedy his Son in Law of the rest of the moveable Effects in his possession you are also pursuing what appears to you to be your Duty but from the inclosed papers it seems to the Council of Safety that unless some facts are known to you of which the Council are yet ignorant that Corne's Effects ought not to have been sold. With respect to those which remain unsold we desire you to leave them in Mr Kennedy's possession untill you shall have reported to the Council of Safety thro us a fuller state of facts if you are possessed of it than the enclosed papers contains upon which you made the former sale of Part and intend to make a future sale of the residue Effects of Mr Corne and untill you shall have rec$^{d}$ the further Directions of the Council of Safety on the subject.

[Miscel. Pap. 37: 99.]

Memd$^{m}$ of sundry goods the property of Peter Corne and W$^{m}$ Procter sold by way of Vandue on Wednesday 15$^{th}$ May 1777 by Sam$^{l}$ Drake and Israel Honeywell Commiss$^{rs}$ of sequestration for Westchester County.

| | | | |
|---|---|---|---|
| 1 pair 4 y$^{r}$ old working stears, | Mr Corne's | £18 | 0 0 |
| 1 3 do fat do | Mr Corne's | 5 | 0 0 |
| 1 Horse of Mr Proctors, | | 14 | 0 0 |
| 2 Cows of do Mrs Morrel bot, | | 14 | 0 0 |
| 14 Sheep & 5 lambs, Mr Cornes, | | 13 | 0 0 |
| 1 old working ox, do | | 8 | 0 0 |
| The waggon do Zek Hyatt, | | 8 | 10 0 |
| do Cart to Old Mr Cary, | | 3 | 0 0 |
| Mr Proctors Chair to Mrs Boyd, | | 6 | 10 0 |
| Sundrys as pr list to Den$^{s}$ Kennedy, | | 58 | 12 6 |
| 1 Horse belonging to Peggy Corne, | | 1 | 16 0 |

I certify that the above goods were sold by way of Vendue on the 15$^{th}$ May 1777 at the house of Capt Peter Corne by the Commissioners above mentioned. Witness my hand this 22$^{d}$ Day of May 1777.

Wi: SAM DRAKE.

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I hereby certify that Capt Peter Corne the Day before his departure said in the presence of some other neighbour and myself that if his Negro man York was averse to going with his master it was his, Mr Cornes Desire and Intention to leave him to his son in Law Dennis Kennedy. Witness my hand 22d May 1777.

WM DRAKE.

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*Bond of Elnathan Foster and Humphrey Merritt.*

[Miscel. Pap. 37: 127.]

Know all men by these presents that we Elnathan Foster and Humphrey Merrit of Ulster County are held and bound jointly & severally unto the Treasurer of the State of New York for the time being in the sum of one hundred Pounds of Lawful Money of the said State to be paid to the said Treasurer for the time being on or before the first day of June next for the payment whereof we bind ourselves, our Heirs, Executors & Administrators jointly and severally firmly by these Presents. Sealed with our Seals, Dated the twenty sixth Day of May one thousand seven hundred and seventy seven.

The condition of this obligation is such that if the said Elnathan Foster shall and do forthwith proceed to his usual place of Abode and there continue to reside & not to depart from the Bounds of his Farm untill he shall receive Permission from the Council of Safety or future executive Power of this State for so doing and also that in the mean time he shall not say or do any thing inimical to the Liberties of America then this obligation to be void else to remain in full force.

ELNATHAN FOSTER,
HUMPHREY MERRITT.

Sealed & Delivered in the Presence of
ROBERT BENSON,
JOHN J. MYERS.

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*Petition of Lieut. Jonathan Terwilger.*

[Petitions, 33: 552.]

To the Honourable Committee for the County of Ulster:

The Petition of Jonathan Terwilger, first Lieutenant of Capt. Hardenbergh's Company of Militia in the New Paltz Precinct Humbly Sheweth,

That your Petitioner in the night he was going to join the Guard that was stationed at the Paltz River in order to prevent Jacobus Rosa and his Company passing it, came up with Them at unawares and got wounded by them who took his Fuzee from him. That he hath been of his wound under the Doctor's Hands four weeks whose Bill for the same is Thirty shillings, That Johannis Terwilger lost his Fuzee by the said Tories at the same time, That Joseph Freer a Sergeant of Capt Hardenbergh's said Company who the same night stood on guard at the Paltz River, had his Musket, Bayonet, Cartouch Box, Tomehawk and Powder Horn with half a pound powder taken from him by said Rosa and his Company, That your Petitioner is of opinion that whereas he and the said two men of his Company, were then in the service for the public safety they ought of right to be retaliated by the Public for the said Losses which they have sustained. Your Petitioner therefore prayeth that this Honourable House will take these things into serious consideration and endeavour to procure adequate satisfaction for the said Losses he and his said two men have sustained, And your petitioner shall ever pray &c

JONATHAN TERWILGER.

NEW PALTZ May 27th 1777.

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*Discharge of Petrus Soefelt.*

[Miscel. Pap. 37 : 91.]

State of New York, ss.

By the commissioners for Conspiraces &c Poughkeepsie May 27 1777

*Resolved* that Capt Robt Castle be requested to Dismiss Petrus Soefelt from his confinement on Board the vessels in order for his immediate attendance before this board.

EGBT BENSON, } Commissrs
PETER CANTINE, Jr., }

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*Robert Livingston to Anthony Rutgers.*

[Miscel. Pap. 37 : 85.]

MANOR OF LIVINGSTON, 28 May 1777.

SIR: The Iron for a six pound Gun my workmen have drawn and Delivered Mr Wm Orr who is now busye with his hands to make it up & desired me to furnish him with three pounds of powder to prove it. As I have it not I desired him to apply to you for it. Wish you to supply him. you will know from him when it will be finished and when he had best send it which please to Direct him. if this should answer he may be induced to try his skill on a 9 or 12.

I am sir Your Most H Servt

Mr ANTHONY RUTGERS. ROB. LIVINGSTON.

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*Commissary Henry to John McKesson.*

[Miscel. Pap. 38: 50.]

FISHKILL, 30th May 1777.

Dr SIR: I shall again request you to mind, the President, to have the Buckskin Breeches, along with the Stockings and Shoes Send down to the Fishkill Landing. If not already sent, the Boatman, or whatever person may have Charge of them, must deliver them at Major Bushe's. please advise me of this matter. Necessity urges my pressing so strongly for these things, application having been twice made Since my return for breeches by the different Regiments. As I have recd no account of the last parcels of Blankets deliverd in Store, by your County Committees, am waiting an answer to know, how I am to dispose of them agreable to a Resolve pass'd 10th Ultº The particulars of which please be referr'd to.

Dr Sir, I am Respectfully Your Most Obedt Humble Servt.

JOHN McKISSON, Esq. JOHN HENRY.

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*Provision for Thomas Done.*

[Miscel. Pap. 39: 95.]

KINGSTON IN ULSTER COUNTY, May 31st 1777.

The Council of Safety have for the present & until further order directed their Secretaries to advance to the Bearer Thomas Done, a Blind & Maimed Soldier, who received his misfortune in the Continental Service in Canada, the Continental allowance of half pay resolved by Congress to be allowed such disabled Soldiers. Therefore the said Thomas Done is hereby allowed to draw by some respectable Inhabitant or to call personally on the said Secretaries or one of them for his half pay only until further order.

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*Major Wisner to Abraham Ten Broeck.*

[Miscel. Pap. 37 : 45.]

KINGSTON, Sunday Morning, May — 1777.

DEAR SIR: Nothing but unavoidable nessatys would have justefyed my application for leave of absence at this time But the accounts from the other side of the River indused me to Return home and will Be here again as soon as possable and at the same time take the liberty humbly to submit it to the honourable Convention wheather the appointment of Judges and Clarks for the Respective Counties at this time will not Be Productive of more hurt than good. However, if the Convention Should be of a Different opinion and Proceed to the appointment I Doe most heartily Beg that the appointment for the County of Orange may be put of as I am shure the People of that County in general are of opinion that no offisers ought to Be appointed till the Constitution is put in motion Except such as are absolutely nesesary for that purpose I have spoak to my two Colleagues and I believe they are of my opinion. I am Sir your Humble Servant,

HENRY WISNER.

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*Affidavit of Thomas Pettit.*

[Miscel. Pap. 37 : 145.]

Thomas Pettit being sworn saith that he this morning heard Johannas Freer say that the Committee of this town found a great deal of fault with the Council of Safety and that if the Council went on as they had done they would not be a House much longer and this Dep^t^ asked him where he heard it. he said from the Committee and further the Dep^t^ said not. THOMAS PETTIT.

Sworn in Council the 31^st^ May 1777
before me
PIERRE VAN CORTLANDT, Pres^t^

Johannas Freer being sworn saith that the Contents of the affidavit aforesaid of Thomas Pettit are true except that instead of the Committee of this Town he told M^r^ Pettit it was the Committee of Marble Town who were displeased with the Council of Safety and this Dep^t^ further said that Cornelius Jack one of the members of the s^d^ Committee told this Dep^t^ yesterday that the Committee af^d^ were much displeased at the Council having discharged Wilhelmas Merkle & others and that if the Convention went on that way in a week or a fornight they would be no Convention, and further said not.

Sworn 31 May 1777. JOHANNES FREER.
PIERRE VAN CORTLANDT, Pres^t^

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*Petition of Levi and Nathaniel Quinby.*

[Petitions, 33 : 303.]

REPUTED SIR: I am a Prisoner confined in this jail Transmitted from New Windsor here, I came from York on a Procklamation* Issued by Major Gen^l^ Putnam & when we Arived at whome we Immedieately went to the Committee of New Molborough and the regularly Examind us Both and told us to go to our whomes and there Quietly & peacably remain but malicious People tuk us up notwithstanding, the Committee Cleard us & sent us here as you are a gentleman of Probity we humbly pray of you to order us to be brought before you in order that we may know what we may depend on, Sir your complyance will ever be acknowled

By your most Obedient
LEVI QUINBY.
NATHANIEL QUINBY.

To the Hon^ble^ JNO. SCOTT, Esq.

* Act of Grace passed 10 May, 1777.

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*Report of the Committee to devise Means for Securing the Southern Frontier.*

[Miscel. Pap. 39: 295.]

Your Committee to whom it was referred to report ways and means for securing the Southern Frontiers of this State and the Southwestern part of Connecticut Beg Leave to report.

That your Committee are informed Gen[l] Washington hath placed six hundred Troops as an advanced Post at Hackinsack and that Gen[l] George Clinton hath ordered out by Virtue of the Powers to him committed so many of the Militia of the Counties of Ulster and Orange as will enable him to place four hundred men in the pass through the Highlands and eight hundred in the Forts, which in the opinion of your Committee will effectually prevent Depredations of the Enemy in the Southwestern Frontier of this State.

That your Committee are of Opiniou three thousand men will be necessary for the effectual defence of the Eastern Pass, the County of West Chester and the South western Frontier of Connecticut to be stationed as follows to wit: One thousand at Peekskill, six hundred at Croton Bridge, five hundred at Turkey Hole, five hundred at Wards and four hundred to range from Wards to East Chester, New Rochelle, the White Plains and Croton Bridge while four hundred of those stationed at Croton Bridge proceed to Turkey Hole & thence to Wards so as that the whole of the number stationed at Croton Bridge, Turkey Hole & Wards may Do Duty in Rotation as Rangers in Manner aforesaid.

Wherefore in the opinion of your Committee it will be proper to submit to Gen[l] M[c]Dougall and Gen. George Clinton the above arrangement and request of them to concert Measures for procuring a sufficient number of Men by Virtue of the Powers committed to Gen[l] Clinton in addition to the other Troops expected at Peekskill to effect the purposes aforesaid.

That in addition to the means above set forth it will be proper to request of his Excellency Gen[l] Washington to order the Troops now raising in the Eastern States to rendezvous at Peekskill by Companies so as to form a considerable Body of men there for the Purpose of Strengthening the Grand Army or by Diversion toward New York impede the Efforts of the Enemy in New Jersey as Occasion may be.

All which is nevertheless submitted.

SIR: I am directed by the Convention of this State to inform your Excellency of the measures by them taken for the Purposes of defending the Forts and Passes in the Highlands and Securing the exposed Frontiers of this State & those of New Jersey and Connecticut. The Convention are extremely sorry to observe that while they are thus making efforts replete with Danger to the future Resources of this State they have great Reason to fear that their utmost Exertions will be insufficient to answer the Good Purposes intended by them.

It is further submitted to your Excellency's superior judgment whether some considerable advantages would not be derived from ordering the new Levies in the Eastern States immediately to repair by Companies to Peekskill as it might hasten the Completion of such Levies, open the Means of Speedily reinforcing the Grand Army, awe the Enemy and create occasionally some useful Diversions.

I am further to inform your Excellency that the Convention have taken the most effectual means in their Power to fill the Battalions directed to be raised within this State which would have been Completed before this late Hour if the number of Batteau Men necessary in the northern Department & the recruiting officers of Colonels Hazen's, Warner's and James Livingston's Regiments, together with the high Bounty offered by the Eastern States had not utterly drained us of men.

I have the Honor to be, &c.,

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*Inventory of Effects taken from Tories.*

[Miscel. Pap. 36: 570.]

Tory Grain.

| Ride to New Windsor. | To Kingwood. |
|---|---|
| 124 Bushels of Rye, | 110 Bushels Wheat, |
| 44 Do of Wheat, | 32 Do Rye, |
| 168 | 142 |

Besides which was fed to the Ulster, Orange County Light Horse, and all the Continental Horse and Cattle.

The under mentioned taken by the Militia of Genl George Clinton's Brigade.
1 Black Horse at Capt Slutts.
3 Do imployed in the work at N. Windsor.
2 Do at Esopus in care of Capt Hasbrook and Genl Dumond.
2 Cows at Capt Slutts in the Clove.
Should be sold and Genl George Clinton be requested to buy such parts as he shall have occasion to buy of for publick use.

Taken with Zabriski Duremus & Rider, 15 Horses viz:
9 at Major Duboises in Bethlem on Charges pr Day.
1 Returned to Duremus by order of Genl Clinton.
1 In Charge of a Sergt of ye Orange L. Horse by sd order.
2 In Charge of Genl Clinton.
1 in Charge of Colo Paulling.
1 Sent to Jersey to Genl Mifflin.

15 In all.
Dd to Commissioner for detecting Conspiracies.

N. B. 12 Continental Horses sent to be wintered out by order of Col Duer out of which I think there will not be above four fit for service against Spring. They being small, Old and so much abused.
1 Horse died of the Botts.
1 Do Died in charge of Lieut Yeoman of Capt. Hasbrooks Company of Rangers, at or Neigh Paramas.
Mr Duer's Care.

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*Report on the Letter of Isaac Sheldon and others.*

[Miscel. Pap. 39: 281.]

Your Committee to whom was referred the consideration of a Letter subscribed by Isaac Sheldon, Theodore Van Wyck and Henry Livingston, Junr Commissioners of Sequestration [for Dutchess County] do thereon report—That it is their opinion, that the augmentation of the Salary of the Said Commissioners, at this time, would be attended with disagreeable consequences, as it would authorize every other officer or Set of officers now in the Service of this State to Complain of their wages, and to expect success from a similar application.

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*Certificate in favor of Simon Laroy.*

[Miscel. Pap. 38: 60.]

POUGHKEEPSIE, DUTCHES COUNTY, the 2 June 1777.

These are To Certify whom it may Concearn that Simon Laroy who has been To the Enemay and is Returned to His Elegiance Has Taken the oath of Allegiance to the State of New York and faithfully promised to Defend The Same with His Life and Fortune. Given under my hand,

SIMON LEROY. JOHN FREAR, *Coll.*



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*Petition of John B. Dumond.*

[Petitions, 33: 520.]

To the Honb^le the Council of Safety for the State of New York.

The Petition of John B. Dumont, Humbly Sheweth,

That your Petitioner was taken Prisoner at his own House, and from thence conveyed to Albany where he remained on parole for Eleven days. from thence (without being charged with any Crime) he was ordered on board one of the vessels at Esopus landing where he is now keept in close confinement, and that your Petitioner is in no way conscious of ever doing the least injury to his Country but on the contrary has at all Times assisted it to the utmost of his power, He therefore humbly begs your Honourable Board would be pleased to enquire into the cause of his commitment, for as he knows of no grounds on which he could reasonably be apprehended or Confined, He humbly begs he may be acquainted with any accusation that may have been brought against him, if any such there be. And your Petitioner as in duty bound shall ever pray.

ŒSEPUS LANDING, 4^th June 1777. JOHN B. DUMOND.

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*Petition of John Mufed and others.*

[Petitions, 30: 345.]

KINGSTON, Wednesday morning, June 7 [1777].

Your Petitenors Humbaly Showeth you the Hon^l Cort that we have been Confined Sume time and our Monney Is Interly gon and without the Hellp of our fellow prisners we Should have Sofer^d Long agow we your Petitenors Humbaly and ardently beg of you the Hon^l Cort to take our unhappy Sitevation to Consideration and your Poor Petitenors as In duty boun will Ev. Pray.

They Petitenors names hearunto Subscribed.

JOHN MUFED,
JAMES BEGGS,
ISAAC LOOWOOD.

To they Counsel of Sefty for the States of New-York.

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*Proclamation for a Day of Fasting and Prayer in the State of Vermont.*

[Miscel. Pap. 38: 54.]

Since God has been pleas'd, in his wisdom to Visit the Inhabitants of this Land with his Just Judgments, by Suffering our Unnatural Enemys to wedge war ag^st us; The Pestilence to prevail, & the many other Calemitys w^h which we are now threaten'd as a just reward for the many prevaling Sins Commited against the Divine Law we have Sufficient reason to believe Calls aloud on us his people for Solemn fasting & prayer. We have therefore thought fit to appoint & Do hereby appoint *Wednesday* the 18^th day of *June* Instant to be observed as a day of publick fasting & prayer throughout this State and do Earnestly *Recomend* it to the good people thereof to Observe the Same as Such That we may humble our hearts before God & Implore Him to avert the Impending Judgments, Remove the sword of our Unatural Enemys from Us, Sanctify the awful frowns of Divine providence, Grant His blessing on our Councils & arms & Direct our Generals, Guard this State from the Invasions of the Savages, Direct in our Elections of members for Establishing Government, Bless the Labour of our hands, Grant Suitable Seasons for the year for seed time & harvest & Crown this year with His goodness. Revive Religion & Virtue—Bless the Ministers of the Gospel & water His Churches with His

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heavenly grace. And it is hereby Recomended to all the good people of the State to abstain from Servile Labour & Recreation on said day.

Given at *Winsor* in the State of *Vermont* in general Convention 7th day of June Anno 1777. Sic Subscribitur. By Order,

JONAS FEA, Secry. JOSEPH BOWKER, *President.*

That the above is a true Copy is Certyfy'd by

June 7th THOS. CLARK & MARTIN POWEL, Assistant Clerk.

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*Trial of John Likely and Anthony Umans.*

[Miscel. Pap. 36: 675.]

Proceedings of a General Court Martial held at Peekskill by order of the Honble Brigadier General McDougall.

Col[l] HENRY B. LIVINGSTON, *President.*

| | |
|---|---|
| Lt Col[l] Wisenfels, | Capt Allen, |
| Regnier, | Tuckerman, |
| Mead, | Pell, |
| Major Sedgwick, | Pearcy, |
| Capt Jackson, | Titus, |
| Willington, | Beasley, |

Capt Benj Walker, Judge Advocate.

John Likely was brought before the Court and charged with Treason against the State of New York in adhering to the King of Great Britain, at open War with the United American States aiding and abeting the unnatural War against them, declaring they had & would do it, comforting the Enemies of these States and acting as Spies & Agents for the Enemy.

The Prisoner on his Arraignment pleads not Guilty.

Simon Newell being sworn says that on or about the 2 May hearing that the Prisoner was an Enemy to the States, he went to his House & pretended he was going to join Gen[l] Howes Army. The Prisoner after welcoming them on their Design said he had repeatedly in the Course of last Winter & the Spring, Harboured, Assisted & Piloted King Georges Subjects on their way to New York & ever would while in his Power assist & help by every means the side of Government (meaning the Government of the King of Great Britain). he said that a Night or two before Thirteen had passed on their way to New York—in speaking of the Army of the States he treated them as Rebels, told the Evidence the road he should take to avoid the Rebel Army and if they were detected, they would be hanged—said further that he should have joined the Enemy himself before if it had not been for his Family —told the Evidence he had Intelligence from New York every week—Piloted them part of the way & told them at what houses to call on their way down & not to stop at some particular Houses he mentioned for they were Damnd Whigs. on offering him some Money of the States in pay for his Entertainment the Prisoner said he did not care whether he took it or not for it was Damnd Trash, he could buy nothing of any Consequence with it. that he expected the Enemy would come soon & then it would be worth nothing. Eleazar Curtis was with him.

Eleazar Curtis being Sworn Confirms the above Evidence & says further that the Prisoner told them that a whole Regiment had deserted from us to the Enemy.

Sam[l] Hodgkiss being Sworn says that about the 29th April he went to the Prisoners House in Company with Amsey Hart—they told the Prisoner they were going to New York to join the Enemy. he seemed much pleased with their intentions. gave them directions at what Houses to stop on their way down. told them Twenty or Thirty had gone down a few days before chiefly Armed. he said he had afforded such sort of People meaning those were going to the Enemy, all the assistance in his Power. that he should have gone to the Enemy, himself but for his Family—when they left him he wished them success & directed them which way to go. The Prisoner further told them a party of the Rebel Army had been out. that

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if they meet any of them they must say they were going to join the American Army at Peeks Kill—that if they were detected it would go hard with them.

Amsey Hart being sworn confirms the above & further says that the Prisoner told them a Party had lately gone in under arms. that on their way they joined another body who were going in and made together two or three Hundred. The Prisoner told them that Howes Army filled much faster than the American Army. that he expected the Enemy would be in possession of that part of the Country in less than Six weeks. said he would warrant it—further told them that a great many had been from Nine Partners at his House on their way to New York. Speaking of the American Army he called them Rebels and Yankies—told the Evidence if they were taken up they might get off if they had no writings.

The Prisoner in his Defence says the Evidence Newell & Curtis came to his House one Evening. it was rainy. they asked to stay all Night. talked of going towards North Castle or the White Plains. asked him if there was any danger. he told them he understood there was no difficulty for that Gen^l M^cDougall gave passes to those who preferd going to New York—says that the next morning they told him they intended to bring down a Company of men. says he then turned them off the Road and sent them to Anthony Umans one of the Committee in order that they might be apprehended. Umans did not think himself able to take them & directed them to Reuben Drake his Lieutenant but they did not go there. Denies that he ever said he had afforded assistance to the Enemy or that he ever called the Army Rebels—says the reason of his giving them directions to particular Houses was because they were people that were well known on the Road. that the reason of his giving them any directions was because he was afraid of them. that all sort of people came to his House and altho' he should have said he had acted, it did not prove that he had. Says he is a Scotchman born, dreaded these times as he had seen the like before in Scotland and was therefore esteemed Disaffected by the Friends to the Country.

He called W^m Gee to his Character who being Sworn says he lives about three Miles from the Prisoner—that the Prisoner is generally esteemed a Friend to the Government of the King of Great Britain—he has heard the Prisoner say he did not chuse to fight on either Side—does not know that he ever aided or assisted the Enemy. never heard him wish ill to the American Army or Cause. The Evidence further says there is no Road from the Prisoners to Anthony Umans. it is East across the Lotts—says further that last Spring the prisoner refused to sign the Association—says that Umans is a Committee Man & is look'd upon as a friend to America.

The Court having considered the Evidence are of Opinion he is guilty of the Charge and do therefore sentence him to receive One hundred Lashes on his bare back & be imprisoned during the War.

Anthony Umans was brought before the Court & accused of Treason against the State of New York—in adhering to the King of Great Britain, at open War with the United American States Aiding & abeting the unatural War against them, declaring he had & would do it, comforting the Enemies of these States and acting as a Spy & Agent for the Enemy.

The Prisoner on his arraignment plead not Guilty.

Simon Newell being Sworn says he went to the House of the Prisoner told him he was on his way to New York, the prisoner welcomed him on that account told him that he had Harbourd, assisted & Piloted many who were going to the Enemy and would still do it but must begin to be very wary for he began to be suspected—the Prisoner advised to get a pass from Reuben Drake who he said was a firm friend to the Government & could give them a pass to pass the Rebel Guards —that he had before granted the like passes—said he was not sure he could get a pass from Drake, as he grew very suspicious, but was sure he could get one himself. he advised them not to go without a pass or Pilot for if they were taken they would Certainly be hanged. said he would have gone himself to Pilot them but was afraid as he began to he suspected. that he had a Quantity of Wheat in Store for the

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British Army that he would not sell it for Congress Money which he called Trash. said he had been in the Army last year but was forced & never did them any good nor never intended it—he gave the Evidences particular Directions at what houses to call on his way down, told him to apply to one Vredenburg at Croton for that he had Canoes & horses to help people that were going to the Enemy. The Evidence further says the Prisoner told him the plan of getting a Company of men down was good provided it could be done safely, but if he was detected he would certainly be hanged.

On being asked by the Prisoner if he did not advise him to desist from going to the Enemy & go back, The Evidence says, he advised them not to go without they would go with Safety—says Eleazar Curtis was with him—

Eleazar Curtis being Sworn says he went to the prisoners House in Company with the Evidence—Newell told the Prisoner they were directed to him, that their Design was to go to New York, The Prisoner told them there was much difficulty in going that they had began to be very severe at Peeks Kill, had hanged one & shot the two who were going to Desert to the Enemy, said he was a Committee man but had never acted—that Genl or Lord Howe knew he had never acted for that his name had been sent in to him he directed them to Reuben Drake told them that Drake had given passes to go to New York but was grown very shy said that in their way to Drakes they would pass one or two Houses, that they must not stop there for they were Damnd Whigs, Directed them across the Lotts said it was a blind Road & they would not meet any body that if they were taken by the Whigs it was likely they would be hanged or Shot, that he had some wheat but would not sell it for Continental Currency as he could buy nothing of any consequence with it, he represented in the Strongest Terms the Danger of going down & advised them not to go without they thought they could do it with Safety.

The Prisoner in his defence says that the Evidence came to his house, that when they told him their intentions of going to the Enemy he was struck with a Dread, represented to them the Danger of going, told them they would be hanged and advised them to go back, but they still seemed resolutely bent on going—he then began to suspect that they came as Spies to find out what he was & therefore thought it best to join with them & told them he had assisted men who were going—says when they went away he directed them to Reuben Drakes that they might be taken up as Tories—Denies saying he would not sell his Wheat for Continental Currency—nor does he know any such man as Vredenburg or ever directed any body there.

Called W^m^ Gee to his character who being Sworn says he is a Neibour of the Prisoners—The Prisoner is generally look^d^ upon as a Friend to America, is one of the Committee for the present. that he has been out with the Militia on a General Call but did not go willingly. The Court having Considered the Evidence are of opinion that the Prisoner is Guilty of the Charge and do therefore Sentence to recieve One Hundred Lashes on the Bare Back & be Imprisoned during the Present War.

A debate then arose Concerning the propriety of this Court trying State Prisoners & upon motion it was carried that a Committee of five be appointed to draw up a Petition to Gen^l^ M^c^Dougall stating their objections & praying to be released from the like Trials for the future and a committee was accordingly appointed and the Court adjourned till tomorrow afternoon 3 O clock.

Friday 3 O clock.

The court being met according to adjournment the Committee brought in the Draught of a Petition to Gen^l^ M^c^Dougall which being read was approved off orderd to be enterd on the proceedings of the Court and is as following viz—

May it please your Honor.

Sir: Altho' this Court have sat and have already tried some of the States Prisoners brought before them according to several Resolutions of the Convention of the State of New York made in July 16^th^ 1776, in April 1^st^ 17^th^ and 21^st^ to try all

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persons taken without the Enemys Lines owing allegiance to this State or not acting in open War against the United States of America, adhearing or abetting the King of Great Britain or his Armies &c

Yet, Since these last Trials Doubts have arisen within this Court, were debated and after having been legally considered concerning the propriety of our determing the fate of our fellow Creatures, by virtue of the above mentioned Articles or Resolutions, this Court Resolved to apply to your Honour for Dispensation or a suspension of Trying any more of those Prisoners, finding the impropriety of proceeding further against them for the reasons hereafter mentioned.

That State Prisoners should and ought to be tryed by a Court of this State where they should have all the priviledges of the Law, as Freeman, & that which was once so much boasted of to be the Constitution of Englishmen viz that of Trial by Jurymen of the Vicinity and Council and further we fear whilst we are Strugling for the Sacred Name of Liberty we are establishing the fatal Tendency to Despotism.

That Martial Law prescribes us an obligation by which we bind ourselves in the most Solemn manner strictly to adhere to the Articles of War which the above mentioned Resolutions are not a part of nor approved by Continental Congress as an addition to the said Articles. Then of necessity we are obliged to create a new form of Oath as was done in the Case of those Prisoners heretofore mentioned, the propriety of which might be in Question, For although we are empowered by the Convention to try such Offenders by a set of men who have an undoubted right to invest Judicial powers, yet they have given us nothing but Resolutions & have pointed out crimes without giving us instructions or prescribing us any other Rules, but the Articles of War which we must entirely lay aside in such Casses.

As those State Prisoners are unacquainted with the Articles of War we cannot try them as a Court Martial nor are they acquainted with the nature of Martial Law & many of them with none at all.

Then what are we [to] do? to examine them only, to take cognizance of their Crimes by Evidence and it is all, as it is the case with some of them, That skilled persons have been sent among them to draw the Substance of their Stupidity and Ignorance by which means some of those offenders are made Evidences against themselves and if they plead at all to the Charge alleged against them it is a pure retaliation of nonsense or reasons which prove oftner against them than for them.

Another objection to the propriety of those Tryalls is that in all Civil courts of Justice it has been practised to allow the Criminal Councill.

The States have a prosecutor in the Judge Advocate whom the Prisoner is by no means upon a footing with, as it most commonly happens that his Stupidity is so great as to incapacitate him from making a Defence of the Crime alleged to him in the course of Evidence which if ilucidated by an eminent Lawyer would inevitably bring him off Clear. From this above mentioned inconsistancy of Trial this Court see the necessity of applying to your Honour for leave to be releaved from trying State Prisoners any more, unless that the name of Court Martial should be changed to that of Judicature, the Prisoners allowed an Advocate to plead in their behalf, a Jury, and the members of the Court Sworn by the Rules of Civil Law &c

By order of the Court,

HENRY B. LIVINGSTON, *President.*

Honorable Brigadier Gen^l M^cDougall.

And then the Court adjourned till tomorrow morning Ten Oclock.

BEN WALKER, *Judge Advocate, P. T.*

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*Petition of Conrad Ring and Jeremiah Teter.*

[Petitions, 33: 518.]

We your Petinors Hubaly Soweth that we have been Confind in Cloas Goal for sometime which is a great dameg to our Selvs and the Cuntery and the Reason why we Came hear we dow not know. Your Petitnors humbaly begs your Hon would

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give us a heearing. Your Petitnors are freely willing to be subjects under the late act of grace, so that the may be admited to Return to our wives and helples children your Petitnors most ardently Intreats this Honorabel bord will take our Distresed seetuation to your Hon Consideration and your Petitnors as in Duty bound will ever pray.

CONRAD RING,
JEREMIAH TETER.

KINGSTON, June 10th 1777.

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*Petition of Thomas Hadden.*

[Petitions, 33: 514.]

Your Humbel Petionner Gentlemen I have bin Confind a grat wile and for that I am clear of and I think Every hard of it that you Dont have some Pitty on me for I wish the States as well as any man and allwase Did my Duty in the behalf of the States and allwase in tend it and it is every hard for it has cost me Twenty Pounds and my money is all gone, and I hope that you will Purpose some way that I may goe to my Family for I have a great Desier of it and will remain your most bedent Frend,

THOMAS HADDEN.

KINGSTON, June 11th 1777.

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*Petition of John Savage.*

[Petitions, 33: 508.]

To the Honourable the Council of Safety for the State of New York.

The Petition of John Savage now a Prisoner in Kingston Goal, most Humbly Sheweth.

That your Petitioner hath been Longe Confind in a Loathsome Prison and that your Petitioner Is Conscious to himself that his Present sufferinge hath been more ocationed by private malice, ill Advice and Constrant than by his own Free and Voluntary choise. Your Petitioner Ever has been and still is Desirous of nothing more then to Be a Leige Subject to a good and wholsome Constitution, and is happey under all his sufferings that he Eaver had the approbation of honesty and Plane and open Semplicity and your Petitioner Doubts not but this Honourable Council is fully sattisfyed that the Sever and Rigorous measures made use of by some men in power and maney others to gratify some private spite or sinister veiws has Caused many persons to Leave their Nearest and dearest Connexions and seek an asylum which otherwise they would not have Done. Your Petitioner therefore humbly prays that he may have the Benefit of the Late Act of grace, be suffred to return to his Distrest wife and helpless children if Not your Petitioner again most humbly and ardently entreats this honourable Board will take the case of a poor Distrest prisoner under ther most humane and Clement Consideration and grant to him such Relief as in their humanity and mercy shall seeme meet and your most humble and Distrist Petitioner as in Duty Bound shall Ever pray.

JOHN SAVAGE.

KINGSTON, June 11th 1777.

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*Commissary Henry to John McKesson.*

[Miscel. Pap. 38: 52.]

FISHKILL, 11th June 1777.

Dr SIR: I have again taken, the Liberty to jogg your memory, about Sending the Buckskin Breeches, together with whatever Stockings & Shoes, may be Stord at Kingston: also, the Canteens which Col John Lasher, Sent up sometime ago to Esopus thro' mistake, from Mr Bogardus's; you will please order these things to be deliverd Major Bush, as for the former, I must confess have but a Very Slender opinion of. Should the articles of Cloathing not be Forwarded immediately, this way, it will I find be altogether fruitless to make any farther application; indeed I must confess have been greatly disappointed about their not coming ere this; it has been my Study to Silence the Clamours of unthinking Soldiers as much as pos-

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sible, but unless they are supplied, they will ever continue their old musick—I have applied some time ago for more money, Since have rec^d no answer, about that therefore would humbly beg you woud remind the President to have that matter Settled, as, by Contract, there is a quantity of Tow Cloth to be in, the 15^th Inst. & Should there not be Cash in my hands before its coming to hand, will not be able to purchase; I do assure you it is at present, our Chief want;

Your compliance in this will Oblige your Friend

& Very Humble Servt.

JOHN HENRY.

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*Petition of John Kortz, Junr.*

[Petitions, 33: 516.]

To the Honourable the Council of Safety.

GENTLEMEN: I the subscriber beg leave to inform you that I have receiv'd a Letter from my wife yesterday, by means of which she informs me that she is in a Bad State of Health, and is very desirous of seeing me. I Likewise understand by said Letter that my mother has her usual uneasy turn again, at which time the whole Family is Commonly in Distress. She has been out of her senses for the space of fourteen years. There is not a man at home at present by which you may Judge in what Distressing condition they are, I am the only person in the whole Family that is able to make her Easy. Gentlemen I shall ever look upon it as a great part of humanity in you if you will grant me a furlough upon parole for some days in order to do the best in my power for a Distress'd family and I shall be punctual to return at your pleasure. I live in the East German Camp about twenty miles from here well known by M^r Abraham Yates Jun^r Esq^r one of the members of said Council of Safety.

Gentlemen I thought proper to let you know the Distance from here that if in case you should comply to my request you would know the better what time to allow me as it will take me Two days to go and come back. I further sincerely Intreat you that if you will grant my request to let me know as soon as possible. In hopes of being heard I subscribe myself Gentlemen, your most humble Servant.

ESOPUS GOAL, June the 12^th 1777. JOHN KORTZ, Jun^r

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*Petition of Samuel Freligh.*

[Petitions, 33: 512.]

The Humble Petition of Samuel Frealigh now a Prisoner in your Goale of Kingston Shewith.

That your Pett^r is sorrey for the Crime that he has Ben Cornsearned in and is not able to support himself wherefor your pett^r hopes that your Honnerable Counsal will Teake your pett^rs Case into Consideration as your pett^r never was but a frind to America and is Resolved to Be all ways a True Frend to the United Stats of America. Gentelmen I hope that your Honnerable Counsal will Teake your pett^rs Case into Consideration and your pett^r will as in Duty Bound Ever Pray.

KINGSTON, June 13^th 1777. SAMUEL FRELIGH.

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*Petition of Jan Freer.*

[Petitions, 33: 510.]

ESOPUS TOWN, June the 13, 1777

To the Honourable the Council of Safety.

GENTLEMEN: I the subscriber do hereby most humbly request of your honours to let me go home I am willing to give sufficient Bail for my appearance or go upon parol just as you please. In hopes of Being heard, I subscribe myself,

Gentlemen, Your most humble Servant,

JAN FREER.

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*Petition of Elnathan Foster.*

[Petitions, 33: 508.]

ESOPUS GOAL, June the 13, 1777.

To the Honourable the Council of Safety.

Your Petitioner begs Leave to return Thanks for the Privilege he hath received at your hands & Begs further leave to inform you that he is in a bad state of health and almost out of money & boarding he cannot get here. Therefore does most sincerely Intreat you to give him the Liberty to go to his Sister at the New Palse.

I am Gentlemen, Your sincere friend & very Humble Servant,

ELNATHAN FOSTER.

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*Report on two Soldiers of the 8th Albany Regiment.*

[Miscel. Pap. 38: 48.]

Upon Application made to us the Subscribers and Commiss^d Officers of the 4th Company of the 8th Regiment in the County of Albany, to send to the Honourable Council of Safety the Characters and Behaviour of George Dader and Coenrad Ring, Soldiers of the aforesaid Company.

We do hereby Certify, that the aforesaid George Dader and Coenrad Ring have from time to time neglected their Duty to this State (Except their Monthly trainings) for which they have been fined, and more Especially the aforesaid Coenrad Ring having allways ill Behaved and Shewn himself unfriendly to his Officers; But while they have been reputed good Neighbours, and never absconded or fled to the Wood, and never have been found confederated in any conspiracy against the State, We are in hopes, they might see their Errors, and perhaps prove for the future good Subjects to the State, and Do therefore hereby Recommend them as such.

Given under our hands, at CLAVERACK, this 13th June 1777.

JACOBUS PHILLIP, *Capt*^n
PETER WIESSMER, 1^st *Lieut.*
JEREMIAH JOHN MULLERY, *Lieut.*

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*Petition of Angus McDonnell and William Pemberton.*

[Petitions, 33: 502.]

To the Honourable the Council of Safety of the State of New York.

The Memorial of Lieu^t Angus M^cDonnell & William Pemberton, Sheweth,

That your Memorialists being sent here by the Committee of the City & County of Albany without a hearing, or reason to us given, hope to be so far favour'd by the Honourable Council as to apear before them & answer for themselves to whatever crimes may have been laid to their Charge. If the Honourable Council have matters of greater moment to consider, your Memorialists begg to be deliverd from this Intollerable place, and disposd of as may appear most feasible to the Council, and we on our part are ready by parole or other security to apear whenever Call'd for.

We your Memorialists subscribe

Your very Hum^l Servants,

ANGUS M^cDONNELL, *Lieu*^t
W. PEMBERTON.

KINGSTON JAIL, June 17th 1777.

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*Petition of Dr. Johannes Ansem.*

[Petitions, 33: 492.]

To the Honorable the Council of Safety for the State of New York.

The Petition of Johannis Ansem, Sheweth

That unfortunate for myself, and more so for my Family I have been long in close confinement, a situation in which I cannot either do good to myself my Family (who



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are in a suffering condition from my absence) nor to the cause of America, which I most heartily espouse. Punishment is intended only to reclaim, whereinsoever I may have been culpable I do sincerely retract and pray your Honorable Body to take my case into your most serious consideration, and permit me a hearing. I am heartily willing to comply with any Terms which you in your wisdom shall deem proper or necessary, that so I may have my Enlargement and be permitted to return to my Family. What I have already suffered is not altogether unknown to you. Let that suffice for my past offences. And your Petitioner as in Duty bound shall ever pray. JOHANNES ANSEM.

KINGSTON, 17th June 1777.

[Petitions, 33: 494.]

To all whom it may Concern,

This is to certify that Doctor Johannes Ansem has resided among us upward of eleven years, during which term he has conducted himself with Reputation, and that from the Beginning of the present contest with England till he (unfortunately for himself) left Col[l] Jacob Hornbeck when call'd down to Ramapaugh, he always and in all Respects appear'd to be a steady Friend to the American Cause. Witness our Hands in Rochester this 19th Day of June 1777.

| | | |
|---|---|---|
| Benjamin Merkell, | Laurens Hoornbeek, | Benjamin Kortreght, |
| Jacobus Schoonmaker, | Frederick Vendemerken, | Michael Enderle, |
| Johannis Carson, | Jacob D. W. SmKer, | Jacob De Witt, |
| Petrus Schoonmaker, | Gideon Hoornbeek, | Tjatje du Bois, |
| Joh. Schoonmaker, | Jacob Tornaer, | Jochem Schoonmaker, Ju[r] |
| Petrus Etm Osterhout, | Arther Morris, | Jochem Schoonmaker, |
| Samewel Osterhout, | Benjamin Hoornbeek, | John Schoonmaker, |
| Elias Merkel, | Johannis Sammin, | Lodewyck Schoonmaker. |
| Barent Merkel, | | |

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*Petition of Jacobus Hardenbergh.*

[Petitions, 33: 504.]

To the Honorable the Council of Safety for the State of New York.

The Petition of Jacobus Hardenbergh, most Humbly Sheweth,

That whereas Roelif J. Eltinge of the New Paltz by reason of being Suspected as unfriendly to American Liberty has been confined ever since last fall and now Prisoner on board one of the vessels in the Creek at the Esopus Landing, that during all which time the said Roelif J. Eltinge according to the best information of this your Petitioner has demeaned or behaved himself suitable according to his situation, your Petitioner being moved with compassion for the said Roelif, humbly prays that he the said Roelif may be removed from his present place of confinement to the dwelling house of this your Petitioner in the Town of Hurley where your Petioner doubts not but the conduct and behaviour of the said Roelif will be conformable. And your Petitioner as in duty bound shall ever pray.

HURLEY, 17th June 1777. JACOBUS HARDENBERGH.

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*Certificate for Elkaneh Brigs.*

[Miscel. Pap. 38: 16.]

Dutchess County.

These may Certify that Elkaneh Brigs hath this day appeared Before me and Hath Taken the Oath of Aleigance prescribed By Convention June y[e] 18 1777.

JAMES VANDERBURGH, *Lut[r] Col[r]*

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*Pardon of Robert Coventry.*

[Miscel. Pap. 36 : 718.]

Whereas Robert Coventry stands senten[d] to Suffer the pains of Death for Divers Treasons committed ag[t] this State which sentence has been approved and confirmed by the said council. And Whereas it has been suggested and (accompanied with some circumstances which induce a Belief of the Suggestion that the said Robert Coventry before he was taken determined to Surrender himself) and was on his way to apply for the Benefit of an Act of the State Convention passed the Tenth day of May last. . Wherefore the s[d] Council have resolved to extend mercy to the s[d] Robert Coventry & to pardon to him the Crimes whereof he stands convicted & sentenced and accordingly hath directed me to issue such pardon.

Therefore in the name & by the authority af[d] I do hereby fully & freely remit & pardon unto the said Robert Coventry all and every Treasonable Acts and Deeds, by the said Robert Coventry heretofore committed against this State and the punishment adjudged thereon, and is Restored to a particepation of all the rights, liberties and privaleges appertaining to the good people of this State.

In Witness whereof I have hereunto set my Hand in the said Council of Safety at Kingston in Ulster County of the said State of New York this 18[th] day of June, 1777.

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*Petition of William Albertson.*

[Petitions, 33 : 482.]

To the Honorable the Council of Safety for the State of New York:

The Petition of William Albertson, Humbly Sheweth,

That your Petitioner about Two years ago sold a sloop to Fraderick Williams for the sum of Two hundred and sixty Pounds and recieved of the said sum on ac 15£ and Bonds for the Remainder, That your Petitioner has not recieved any part of the Bonds or the sum therein mentioned, That your Petitioner is well informed that said Williams is gone to the Enemy and that he has left no Estate behind him of any considerable value except the said Sloop, That your Petitioner is a poor man not able to Dispense with so great a Loss, That if your Petitioner could have Power to take the Sloop again, it would in some measure compensate for his loss, your Petitioner therefore prays that your Honourable House will be pleased to take his case into consideration and favourably be pleasd to give him an order whereby he may be enabled to take the said Sloop Into his possession and use again & your Petitioner will ever pray. WILL[M] ALBERTSON.

Dated at New Burgh 19[th] June, 1777.

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*Petition of Abraham Burghardt.*

[Petitions, 33: 506.]

To the Honourable the Council of Safety for the State of New York

The Petition of Abraham Borgardt now Prisoner in Kingston Goal most Humbly Sheweth,

That your Petitioner hath been Longe Confin'd in a Loathsom Prison For Resons unone to him your Petitioner Ever has Been and still is Desirous of nothing more then to Be a Leige subject to a good and wholsome Constitution, and that your Petitioner all way has Done his Duty as a subject to the State that he Lived in your Petitioner therefore humbly prays that he may have Benefit of the Late act of grace and Be suffered to return to his Repentive houme. Your Petitioner again most Humbly and ardently Entreets this Honourable Board will take the case of a Poor Prisoner under ther most humane Clement Consideration and grant to him such releif as in ther Humanity and marcy shall seem meet, and your most Humble and Destrist Petitioner as in Duty Bound shall Eaver pray.

Kingston, June 19 1777. ABRAHAM BURGHARDT.

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*Petition of Hendrick Feere.*

[Petitions, 33: 500.]

To the Honourable Council of Safety of the State of New York.

The Humble Petition of Hendrick Fiere of the Backoven in the County of Albany, Humbly Shewit,

That Whereas your petitioner has lately ben apprehended & Confined on board the fleet prison on suspicion of being a tory and inimical to American cause of Liberty. Your petitioner is very sorry that his conduct heretofore has given the least cause of suspicion to any frind of the American Liberty, if in my former conduct I have ben guilty of any such appearance I am sincerely sorry for it, it is realy and sincerely never what your Petitioner intended, Nor never had in contemplation any such purpose or design to do or to act in conjunction with inimical evil dispos'd persons against my country. I Sirs your humble petitioner in this petition declare unto the Honourable Council of Safety that I am a frind and a sincere well wisher to my Country, and wish sincerely that my country may succeed in the present contest with the Tyrant King of Great Brittain, if the Honourable Council should be in the least doubtfull of my loyalty, Fidelity & faithfullness, I am willing to do all that Lays in my power to satisfy my Country and government where I live in that can be reasonably Demanded of me, I am willing to swear that I have & will renounce the King of Brittain and also to bear any the Least allegiance to him, I have Renounced him intirely and do Renounce him intirely, I am willing to swear to bear true allegiance to the State of New York and to Do all that lays in my power to support the State against all external and the internal Enemies thereof if it is supposed that I shoud Know or be acquainted with any plots or designs against this State and America in general. I am willing to answer any Question the Honourable Council will be pleased to put to me Respecting anything touching the wellfare of this State and America in general upon oath Sirs. The Harvest is Drawing Near, I wanted to be at home to take care of my Business, I sincerely wish, beg and pray the Honourable Council of Safety to take the matter of my petition into your consideration and do with me and unto me as you in your wisdom shall think meet. Your Humble petitioner beseeches the Honourable Council if it can consistantly be Done, that your Petitioner may speedily be Discharged. And your Petitioner shall ever pray. HENDRICK FEERE.

June 19th 1777.

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*Memorial of Commissary Cuyler.*

[Petitions, 33: 468.]

To the Honble the Council of Safety of the State of New York.

The memorial of Henry Cuyler, Commissy of Stores & Provs to his Britanic Majesty, Humbly Sheweth.

That your memorialist was sent Prisoner by the Committee of the City & County of Albany to this place to be disposed of as the Honble the Council should think proper. That he understands it is determined that he is not to return to his house at Green Bush, where his family resides. That altho' this would have been a decision which he most ardently wished for, yet he will not presume to ask a reversal of a Point already determined, But prays in consideration of his having a wife and family of small children he may be permitted to reside in the North part of the County of Dutchess as he has a prospect of procuring a lodging in the Neibourhood of Mr Harmen Hoffman where he will be in a situation of hearing frequently from his family, and as it is a part of the Country where he is an entire stranger, he apprehends the objections which may be made to his return to his own house will not hold good to his residing there, especially as he is willing to be restricted to any bounds which the Honble Council may think proper & therefore hopes his applycation will meet with their concurrence, and your memorialist will ever pray,

HENRY CUYLER.

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*Parole of Commissary Cuyler.*

[Miscel. Pap. 37: 241.]

I Henry Cuyler of the County of Albany, Commissary of Stores & Provisions in the service of the King of Great Britain being made Prisoner of War by the authority of the State of New York do promise and engage on my Word and Honor and on the faith of a Gentleman forthwith to proceed to the House now occupied by John Patterson Esqr in the manor Livingston and there or within six miles of the said House to the North, East or South of the same keeping on the East side of Hudson River to abide untill the further order of the Council of Safety or the further executive power of the said State and in the mean time neither directly or indirectly by word or deed to oppose or contravene the measures of the United States of America or either of them for supporting their Independance in opposition to the King & Parliament of Great Britain or for supporting the present Constitution and Goverment of this state In witness whereof I have hereunto subscribed my name at Kingston this 20th Day of June 1777.

HENRY CUYLER,
*Commissy of stores & Provision in the service of the King of Great Britain.*

1777.
Sept. He broke his parole and was sent to the Fleet prison at Esopus.

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[Petitions, 33: 472.]

| | |
|---|---|
| Two Arm Chairs,<br>18 Mahognee Chairs,<br>2 Card Tables,<br>2 Dining Tables,<br>1 pare of oval sconses,<br>1 Jorendoll & Branches,<br>1 Carpet,<br>1 Tea Table,<br>a set of Pictures,<br>one Table Set of Chany. | These goods are at the House of Mr. John Vanales. |
| one pare of hand Irons,<br>1 pare Tongs and Shovell,<br>a Negrow Boy, named Will,<br>a Negrow Gerl, named Sook. | In Kingston. |

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*Bond of Evert Vosburgh.*

[Miscel. Pap. 37: 763.]

Know all men by these presents that I Evert Vosburgh of Rhynbeeck Precinct in Dutchess County am held & firmly bound unto Peter Van Brugh Livingston Esqr Treasurer of the State of New York in the sum of one Hundred pounds lawful money of New York to be paid to the said Peter Van Brugh Livingston his certain attorney, Executors, Administrators or assigns for payment whereof I bind myself, my Heirs, Executors & Administrators firmly by these presents, sealed with my seal and Dated this Twenty first day of June 1777.

Whereas the Council of Safety of the State of New York have this day resolved that Johannes Turner now a prisoner on Board one of the vessels composing the fleet prison at Esopus Landing be liberated for Three weeks to Visit his Family on Mr Evert Vosburgh's becoming Security for his good conduct and his return to the fleet prison at the expiration of three weeks. Now therefore the condition of the above obligation is such that if the said Johannes Turner shall & do return to & surender himself a prisoner on Board of the said Fleet prison at or before the Expiration of Twenty one Days from the day of the date hereof and if the said

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Johannes Turner shall & do in the mean Time neither directly or indirectly by word or Deed oppose or contraveene the measures of the United States of America or either of them for supporting their independence in.oppositition to the King & parliament of Great Britain or for supporting the present constitution or Government of this state of New York then the before written obligation to be void & of none Effect but on failure or breach of any or either of the before mentioned Conditions matters or things to be & remain in full force and Virtue.

Sealed & Delivered in the presence of us, EVERT VOSBURGH.

JOHN J. MYERS,
JOHN M^c^KESSON.

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*Confession of Aernout Viele.*

[Petitions, 33: 484.]

CITY AND COUNTY OF ALBANY June 23th 1777.

A Confasion of all My Misdeeds for which I am Sory.

To the Honourable Court Mashel.

At first Notis was Given to Me to appere at the House of Bastion Been and the Man that Warned Me I Do Not Remember but I Whant there and Than I was Caled in to the back Rume to this Men which asked if I was Willing to take the Oath of Secrit and I told him yeas I Could Kip Secrit but I asked him if it would Not bring Me Into Trouble and he Told Me No Danger and I took the oath than He Did Reed the in Listmant and there was these Tow Letters Mantioned J. H. to be Chosen and appinted Colonel and I asked the Signification of these Letters and he said John Husten Than I asked his Name and he said Christian Ware and another Man that Want Round with him Gorge fineel Than he asked me to take the Sacond oth and I Told him that I was afraid of Trouble Than he Told Me That was sant True the Country to Save our Lives and familys that the Rigolars was Rathy to Com True the Contry and that there should be No Marsey Showin to tham if they Did not Dow this than I Took the oath Than I Want home Than I thoat I have Good Neighbours at home it should be hard that they should sufer I Told Lieutenant Cornelius Dacker of it and he said that he would not Due it but after That he Did it for we Tought it for our Good but Christian Whare told us that we Should join the Regolars if they Did Come up the River than Sum Days afterwords Handarick plas Come in the Neighbourhood about fore Miles from our house with Sutch Papers and Than Gorge More sent for Me to Com to the house of Gidion fradanburgh the same Night by John Turner and he Told My Brother Chark and he Told Me and I Whant thare and as I Com in thay samed to be glad and Matthew Everts was Righting sum of there Names Down than M^r^ More Com up to Me and asked if I would Reed that baper to him and the pepel in the Rume and I Told him that I Did Not Like than he Told Me that I moust Dueth for there was Nobody fit in the Rume nor in the Nighbourhood but I Could Reed Good English and Explane it to them in Dutch Than I asked him to show his Auturithy Than he Laid his Paper Down upon a Table and I sat Down and Looked it over and I Got up from the Table and said I Did not Like to Dow it and M^r^ More said you Moust Dow it four your Nighbours than I Did it fornisheth the oth to the People and Lift the Paper with tham after sum Days Came M^r^ More and Hendarick Plas and Jacob frayr and David fray to have Me to go with tham to Tunis Snoks house they should have sum People there Gathereth I Told tham to Git Sumbody els that I Did Not Like to Dow it, says M^r^ More it is No hurt you Moust Dow it Than I whant and Did fournish the oath, Than I was Desired by M^r^ More and sum More in the Rume To Com there onse More for M^r^ Mores Brother Was Not there and sum More of the Nighbours and God Nows that I Did Not Love to Dow it but Told Tham yeas and Did so Than I was Desired By M^r^ More and Handirick Plas to Com to Philip frayrs and whant to go thare Isaac faden burgh Wife Stopt me Upon the Road by her house and Told Me that I was Desiered to Com to Cornelius Vousburgh but Know Not for what but Philip frayrs soun Told heis so to

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sand me thare and thare I Did the same fournished the oath to them Whan I was the Second Time at Tunis Snuck Than Mr More Told Me to keep the Papour with Me for there Was sum people in the Rume that Did Desier Me to Com to one John Dengses, and I whant thare and whan I com Neir the House I was stoped By a parsel of Man that Told Me to Go Back to one Handarick Hous Rought and the Man I Did Not Know then I want there and fournished the oath to Tham Than I want Home and Than Thare Come tow soutch persons and Desireth Me to fournish the oth to and I Did and thes tow Man Desired Me to Go to My Brother Philip Viele My Brother Was Not at hom Nor his Wife that there Was three Man Good frinds of tham that I should oblige tham very Mutch for the Wanted to take this oath and I want and Mit one of tham Chause to Me to fitch Me for one Tham was Not well fornished the oath tham and Returned home and Give the Paper to Nicolis Brese and he Wanet of with it and he Returned and Broat another to I aske him where he Got it he told me in Claverack Than I was Desire to go to Jacob Deckers one Evening and Did and fournisthed the oath to one Man Jacob Decker and after that I Give the Paper to Christian Crott and sum Days after he give the Paper to me again and I Laid it in the house and Niver seen it since as for the Oversers Thare was none as I know as yet. But there was sum Tock that the Nighbourhood Did Chause Isaac Speer for Capt Bastion Been Lieutenant and Me for Ensign and had Tocked Soum of them to have Peter Grine for Capt. But thare was no Sartinty for there was No oversears appointed for I Niver tought to hirt the Country, But Did it to save our salves.

This is all Gentlemen that I Do Know about it that I can Declare.

AERNOUT VIELE.

But this was Reported in our Nighbourhood that thare was fore Man aganst one in Albany that had Doun this tow of the had Comitys and our County Except one and John and Hary Livingston and Colonel Van Naula in Claverack.

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*Petition of Aernout Viele.*

[Petitions, 33: 486.]

Unto the Honourable the Council of Safety for the State of New York, now setting at Kingston.

The Petition of Aernout Viele of the Manor of Livingston, Humbly Sheweth,

That your Petitioner is now a Prisoner in the City Hall of Albany under sentence of death, and unless Almighty God inclines the Hearts of your Honours to extend your clemency to him is to be executed on Monday next. In the deepest Distress and impressed with the most poignant Emotions of contrition he implores permission to approach your Honours, and ardently requests that you will deign to consider his unhappy situation, Lead astray by the Insinuations and fallacious reasoning of designing men he has greatly erred and justly incurred the dreadful sentence passed against him. He does not complain of justice, but implores mercy, he is a youth unexperienced in Politicks and Law, it was therefore easy for insiduous and evil meaning men to draw him into the snare that has proved his Ruin. He has not yet seen twenty-one years, and Death having deprived him of his Parents he was at a Loss for that wholesome admonition which might have been expected from such near and dear Relations. Reluctant to quite this temporal Existence at so early a Period and but ill prepared for that unchangeable and eternal state which must commence after Death, he fervently beseeches your Honours to have compassion upon his youth and Inexperience, to forgive his crimes or mitigate the Rigour of his sentence, and permit him to live and exert his utmost Endeavours to make an attonement to his injured Country. He has two orphan Sisters that depend under God, upon him for support and Protection, who, if he suffers, must with his other Relations, although innocent of his crimes, partake of his disgrace. May it therefore please your Honours to take what is here represented into your most serious consideration, and permit a sincere penitent to conjure you by the mercies of

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God showen to mankind in Jesus Christ, to reverse or mitigate the sentence passed upon me or if it is irreversibly determined (which God forbid) that I must suffer an ignominious Death, be pleased for Christ's sake to grant me some longer Time than my sentence has stated, that I may repent of my sins and prepare for Eternity. And your Petitioner as in Duty bound shall ever pray AERNOUT VIELE.

CITY HALL, ALBANY, June 24th 1777.

We the subscribers deeply affected with the Penitence and unhappy situation of the above mentioned unfortunate Petitioner, do sincerely commiserate the Distress of the mislead youth, and ardently sollicit the Honourable Council of Safety to grant the Prayer of his Petition.

Gerret Viele,
Philip G. Viele,
John Bartle,
Peter Bartle,
Jacob F. Sharmen,
Elisha Tallmidge,
Jacob Best,
John Van Renssalaer,
Henry Ludlow, Junr
Gabreil esselstine,
Stephen Hogeboom,
David McKinstry,
Saml Ten Broeck,
James Hogeboom,
Abram I. S. Vosburgh,
Walter V. Wemple,
John A. Fonda,
Peter Hogeboom, Junr
James Atwater,
Adam Ten Broeck,
Abraham Van Allen,
Joghim Muller,
Joshua Whitney,
Johannis Hogeboom,
John Whitbeek,
Adam Van Allen,
John Nottingham,
Peter Muller,
Jeremiah Dalamater,
Mathew Fuller,
Jeremiah Dalamater,
Jeremiah Fonda,
Peter his x mark Van Valkenburgh,
Jacob Konlen,
Christian Whitmore, Junr
W. V. Nes,
Wm Van Ness, Jur
S. Gebhard,
Cornelius his x mark C. Muller,
Kitleyein Muller,
Joseph Murgittroyd,
Oliver Cowle,
Wm B. Ludlow,
Verenis Ten Broeck,
Samuel Ten Broeck,
Thaddeus Cowl,
William Mulender,
Zachriah Gernright, by order,
Cornelius Miller,
John V. hoesen,
Peter Wiessmer,
Peter Sharp, Junr
Philip his E mark Rockefeller,
Jacob Esselstyn,
Isaac Vosburgh,
John Clyne,
Robart Gibson,
Stephen C. Miller,
Jacobus Phillip,
Richard Esselstyn,
William Van Aelstyn,
Foenscis Her Dick, Jur
James Knott,
Matties Halenbeck,
Matthew Hallenbake,
James Eltinge,
Peter Van Buren,
Cornelius Benham,
Philip Ryley, Jur
Adam Church,
John Ten Eyck,
Barent Ten Eyck,
Jacob Shaaver,
John Ten Eyck, Junier,
Cornelia Livingston,
Gertruyd Cochran,
Peter Fish,
Pet Wynkoop, Junr
George Best, Junr
Harme Best,
Jurry Best,
Philip Adam Ergenbregh,
Jacob Best, Junr
Dirck W. Ten Broeck,
Leonard Ten Broeck,
Samuel J. Ten Broeck,
Dirck Jansen,
Conrad Kue,
Henry Platner,
Ryar Schermerhorn,
Cornelius Schermerhorn,
Cornelius Villie,
William Pitcher,
Reyer Heermans,
Andrus Heermans,
Samuel Kue, Surgin,
Philip Feller,
Wm Radclift.

June 28th 1777.
(Indorsed.) Rejected.

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*Petition of Philip Brooks and others.*

[Petitions, 33 : 490.]

To the Honble Council of Safety for State of New York:

GENTn: We humbly Desire to represent that we are able clearly to Evince our Innocence, and give every satisfaction required, if we had a hearing, as the Distant surmises which occasion any of our confinements could have been easily removed if we had had any opportunity. Our Tedious confinement without being guilty of any

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crime, Induces us to request a hearing to Day, before our circumstances are Entirely sunk and Ruined, and health so far Impair'd that we can be of no service either to ourselves or Society, this request granted shall be gratefully and Dutifully acknowl edg'd by Gent^n^ Your very Hum^l^ Serv^ts^

PHILIP BROOKS,
SAM^L^ HANNAH,
HUGH ANDERSON.

KINGSTON GOAL, June y^e^ 27^th^ 1777.

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*Examination of Tories.*

[Miscel. Pap. 38: 22, 24.]

Examination of Tories from Livingston's mannor confined in Kingston Gaol & resolutions respecting them:

*Jery Wheeler* of Livingston's mannor being examined said that Jery Finkle & Christian Ware administered to him the oaths of secrecy and allegiance to King George in the month of April last—that he has been imprisoned about six weeks—had got Six loaves, three quarts of peas. 8s.

*John Lyke* of Livingston's mannor being examined saith that he was sworn to secrecy by s^d^ Jery Finkle and Christian Ware—that he has been confined here ab. six weeks, and during that time had rec^d^ five loaves. 5s.

*Christopher Haghadone* of the said Manor being examined said, That he has taken the oaths of Secrecy, and allegiance to King George, that Christian Ware administered to him the said oaths.—That Peter Krine and John Moore, told him on the Monday next succeeding the Friday that the Powder had been stolen out of Mr. Livingston's mill—that the quantity so taken was nine hundred weight. That he has been six weeks imprisoned here, during which time he has had Six loaves of Bread and once Pork. 7s.

*Hendric Smith Jun^r^* of S^d^ Manor acknowledged, that at the house of Peter Millar of Nobletown, the aforesaid Ware with said Finkle administered an oath of Secresy to him.—That he has been confin^d^ here Seven Weeks, during which time he has got five Loaves of Bread. 5s.

*Arent Decker* of S^d^ Manor acknowledged that he has been sworn to Secrecy and allegiance to King George, by said Ware and Finkle—That he has a Sick wife and six small Children.—That he has been Seven Weeks a prisoner, during which time he has had Six loaves, and Biscuits twice and two pints of Pease. 9s.

*George Faudle* left Hostage.

*Tho^s^ Anderson* being duly sworn deposeth and saith he lives next neighbour to D^r^ Latham in the manor of Livingston—that he never Swore either the oath of Secresy or alligeance to the King—that John Rossman wanted him to Swear for that they (meaning the tories) were well fortified—S^d^ Rossman then told him that Capt. Benjamin Van-Leven, of the little nine partners and he with other partners had taken Seven hundred weight of powder, and had also taken the lead from the nets at the river and that Robert Wilson of the little nine partners, brother to Capt. Donald Wilson help^d^ S^d^ Rosman to cast the Bullets.

Sworn Before Me June 24^th^ 1777 THO^S^ ANDERSON.
PETER P. VANZANDT.

*William Merifield*, Prisoner, saith that he was sworn to Secresy by Arnault Veile, that Capt. Benjamin Van Leven of the little nine partners told his family in the hearing of the Prisoner, that there was Powder Stolen, and leads cut off the nets at the river—that Benjamin Knickerbacker and he had been fishing at the said River.—That while a prisoner here he has had 3 loaves of Bread of the Commissary, and that he had had pork twice. 6s.

*Ulrick Streble*, Prisoner, saith, that Arnout Viele has in April last Sworn him to Secresy and allegiance to King George, at the house of Hendric Huysraat—That while in Confinement here, he has had 12 loaves, nine quarts of Pease. 17s.



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*Teunis Snyder*, saith he was sworn to Secresy and allegiance to King George by Christian Ware and Jery Finkle.—that Ware and Finkle said they had got their power from Col. John Huitson, and that s^d Col. had orders from Gen^l How and Governor Tryon —That he has had while in prison 14 loaves of Bread. 14s.

*Nicholas Wheeler*, Saith he has been Sworn to Secrecy and allegiance to the King by Christian Ware and Jerick Viele.—that while in Confinement he has had 6 loaves of Bread. 6s.

*Johannis Dings*, saith he has been sworn to secrecy and allegiance to King George by Arnaut Viely—That he has got 5 loaves Bread, and Pease once. 6s.

*Daniel M^cIntire*,—saith he has been sworn to secrecy by Arnout Viele who offered him the oath of allegiance also, but he refused him, that he has been 7 weeks in prison—that he got 8 loaves. 8s.

*Jacob Teethrick*, saith he has been sworn to secrecy by Christopher Superly and one Rogers—saith he lives in the lower manor—That he has been Prisoner 6 weeks & has had 12 loaves. 12s.

KINGSTON, June 24th 1777.

In Committee for examining and releasing prisoners.

*Present:* Mr. Vanzant, Mr. Harper.

*Resolved*, That having examined the following persons, confin^d in the Fleet prison, and finding them willing to come under the obligation of an oath of Allegiance to this State, They have been recommended for pardon by the Committee of the Manor of Livingston; Derick Jansen Chairman.

| | | | |
|---|---|---|---|
| George Faudle, | Hostage. | William Mansfield, | Hostage. |
| Jery Wheeler, | S. | Ulick Streble, | S. |
| John Lyke, | S. | Teunis Sneyder, | S. |
| Christopher Hoghadone, | S. | Nicholas Wheeler, | S. |
| Hendric Smith, Jun^r | S. | Johannis Dings, | S. |
| Arent Decker, | S. | Daniel M^cIntire, | S. |
| Tho^s Anderson, | S. | Jacob Teethrick, | S. |

*Tho^s Anderson*, Saith that for six weeks, in prison he has had twelve loaves of Bread, pease four times, pork four times. 16s.

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*Petition of Refugees from Long Island.*

[Petitions, 33: 498.]

SAYBROOK, 12th of June 1777.

To the Committee of Safety at Esopus for the State of New York:

GENTLEMEN: We the subscribers pressed with accumulated Grievances are constrained to Remind or Inform your Honourable House that sometime in the Begining of April last by a Committee appointed for that purpose did by M^r Conkling Exhibit to the Convention of the State of New York, our Humble petition that in their wisdom they would Point out to us some mode of Relief under our sufferings which Convention by said Conkling did give & Return unto us the favourable answer, viz the Convention will (after the form of Government is settled) take measures for the support of the Poor among the Refugees. In the meantime we wish you would if possible keep up a Committee to take care of the Interest of the Refugees & to correspond with us & Pursuant to their advice we have attempted to Keep up a Committee but find by our Local cituation it is not practicable & have waited patiently for the form of Government to be settled which form we most pathetically congratulate you in as the best in the habitable world, but after that was done & having no Instructions further from the Convention & being under great Embarrasments we applied to the Honourable the Governor & Counsell of this State & their answer we send you Inclosed. Our distress is dayly increasing, our wants constantly multiplying, the strictest prohibition of passing to Long Island

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to get over anything to support ourselves on & little or nothing to be had here for paper Currency & hard money we have not, Harvest is approaching & some or most of us have bread Corn growing on our land we can't but flatter ourselves that your sentiments will concur with ours, that if we may by your addressing the Governor & Counsell of this State obtain permits to pass & Repass as opportunities may present to take over to the Relief of our families that forage that will otherwise fall into the possession of more than savage Enemies, we hope the laws of self preservation will operate so that we may escape the hands of the Enemy & give our suffering families some Relief. Gentlemen your favourable answer we trust will Alevate your Highest Honours & the Best affections & warmest petitions of your Humble Servt[s] the subscribers,

| | | |
|---|---|---|
| Obadiah Johnes, | Ephraim Fordham, | Benjamin King, |
| Zebulon Cooper, | Luis Stanbrough, | Christopher Tuthill, |
| Paul Reeve, | James Wells, | Jeremiah King, |
| Jacob Conkling, | Will[m] L'homedue, | Joseph Youngs, |
| Nath[l] King, | Nathaniel Conkling, | Richard Youngs, |
| Daniel Tuthill, | Benjamin Conkling, | John Racket, Jun[r] |
| Ephraim King, J. | Oliver Norris, | Robert Harlow, |
| John Moore, | David Conkling, | Frederick Tabor, |
| Obadiah Havens, | Jesse Wood, | John King, |
| Thomas Ferry, | John Cooper, | Craveit Wells, |
| Elias Howell, | John Pain, | William Havens, |
| Thomas Vail, | Ephraim King, | Jesse Dayton, |
| Amon Taber, J[r] | Jeremiah King, | Nathan Benjamin, |
| John Young, | Joel King, | Recompence Howell, |
| Daniel Fordham, | Daniel Racket, | Joseph Halliock. |

June 24[th] 1777.

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*Speech to Seneca Indians.*

[Miscel. Pap. 38: 26.]

A. M. June 24[th] 1777.

Draft of a Speech delivered by the president from the Chair to the Indian Warriors of Seneca Tribe who were on their way home from Gen[l] Washington's Head Quarters.

Brothers: We are but a small part of the Great Council of the State of New York. The rest of our Brethren have left us here to do the public Business. Our great Council are gone home to attend their own Business and are to meet here on the first day of the next Month. We are sure that they would have been glad to meet their Brethren the Senecas in the Grand Council.

We are sorry to hear that you are obliged to leave this place so soon. It would have given us great pleasure to have smoked the pipe of Friendship with you, and to have assured you further as We now do of the determination of our great Council to keep the Road open between your Nation and Us and to keep bright the Chain of peace as it has been between your and our forefathers.

We commend the Wisdom of our Brethren the Senecas in appointing You to repair to our Chief Warrior & see the Situation of our Affairs. We hope you have found Us strong for war and that the Enemy are so weak and so much in fear of us that after coming out of their Lines, they have been obliged to retreat precipitately to them without doing our army any mischief. You will now be able to contradict the false Reports concern'g the Enemies Strength and our Weakness which their wicked Emissaries have artfully attempted to spread through the Indian Nations.

Brother we wish you a good Journey. Assure our Brothers the Senecas and the rest of the six nations of our Friendship and accept this small acknowledgment of the Regard we have for you.

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*J. Deane to General Schuyler.*

[Miscel. Pap. 38: 20.]

Extract of a Letter from J. Deane, Indian Interpreter, to General Schuyler dated June 25th 1777.

By an Indian some time since from Canada it is reported that Just before he left that Country the Warriors of Aghmesasne, who took a Party of our People at Sabbath Day Point, fell in with a considerable Number of the Scots in the Woods on their Way to Canada, whom they attacked and entirely cut off, supposing them to have been a Party from the American Army—That Sir John Johnson threatned to be revenged upon them, but that the Indians dared him to do his Utmost. That Montreal is full of Regular Troops, &c.—and by two others very lately from Canada, it is reported that the Vessel in which they took Passage at Otswegatche for Niagara was wrecked in a Gale of Wind upon the Rocks between Otswegatche and Cataroque —That Sir John Johnson would be at Oswego with a large Body of Indians by the first of July, where he would be joined by Butler and his Party from Niagara, from whence they were to attack Fort Schuyler, and that the regular Troops were at the same time to make an attack upon Ticonderoga.

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*Petition of John Stoaks.*

[Miscel. Pap. 38: 18.]

The Humble Petition of John Stoaks Now Confined in Kingston Goal, Humbly Sheweth,

That your Petitioner Desires to Express his Sorrow for any thing he has Done which might be thought Inconsistent with the Liberty or Interest of the American States. That your Petitioner while at home Endeavour'd to assist, and Support his Aged Parents and that they Suffer greatly Since his Confinement for want of his assistance on the Farm. That your Petitioner would Humbly pray for Enlargement—if your Honble Board in wisdom Shall See meet and as in Duty Bound Shall &c.

JOHN STOAKS.

June 25th 1777.

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*John Logan's Note to Samuel Knapp.*

[Miscel. Pap. 39: 353.]

Know all men by these presents that I John Logan of Morris County In new Jersy Do promus to pay unto Samuel Knap or his order the Jest and full Sum Seventy one pounds New York Mony to be paid the Twenty Six Day of agest nex Insuing the Date heareof June the 27 Day ye 1776.

As witness my hand

EBENEZER OWEN. JOHN LOGAN.

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*Court Martial.*

[Miscel. Pap. 38: 551.]

At a General Court Martial of Officers of Militia held at Albany in the State of New York on the twenty first Day of May 1777. By Order of His Honor Brigadier General Ten Broeck, agreeable to the Resolution of the Convention of the State of New York passed on the 9th instant.

*Present:* Colonel STEPHEN J. SCHUYLER, President.

Colonels Anthony Van Bergen,
Jacobus Van Schoonhoven,
Peter Vrooman,
William B. Whiting,

Majors Flores Banker,
Isaac Goes,
Jacob Ford,
Andrew Mitchell,

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Lieut. Col[e] Phillip P. Schuyler,
John H. Beekman,
Henry K. Van Rensselaer,
James Gordon,
Cornelius Van Veghten,
Major Abraham Cuyler,
Major John Van Rensselaer,
Captains John N. Bleecker,
Andries Douw,
Abraham Oothout &
Caleb Bently, *Members.*
Lieut. Colo. Richard Varick, Judge Advocate.

The President & Members being sworn & the Judge Advocate being also sworn The Court adjourned till Thursday Morning 8 o'clock.

May 22[d]

The Court met pursuant to adjournment.

Present as before, Except Lt. Colo. Van Veghten.

John Clint of the Manor of Rensselaerwick in the County of Albany was bro't before the Court & the Judge Advocate as Prosecutor in behalf of the State of New York, exhibited a Charge against him in the Words following, to wit,

"You John Clint stand charged, For that you being a member of the State of New York, protected by the Laws thereof & owing Allegiance thereto, On the first Day of April last past and at Divers Other Days & Times both before & after & since the 16[th] Day of July 1776, at the Manor of Rensselaerwyck in the County of Albany Did Wickedly, traitorously & treasonably contrary to your Allegiance aforesaid, levy war against the said State, within the same, By swearing to bear Faith & true Allegiance to the King of Great Britain and by swearing divers Other Persons the Subjects of the said State, to bear faith & true Allegiance to the King of Great Britain, then & now in actual War against the said State & to defend his Crown & Dignity, thereby adhering to the King of Great Britain & others the Enemies of the said State, within the same, Giving him or them Aid & Comfort Contrary to the Resolutions of the Convention of the said State."

The Prisoner confessed, that he was Guilty of the Charges exhibited against him, and prayed the Court that Witnesses might be examined in Mitigation of the Punishment to be inflicted.

Whereupon it was Ordered that, Adam Bum be examined; who being sworn, Says that about three or four Weeks ago, he was sent to the Prisoner's House by the Committee of the Manor of Rensselaerwyck to order him to attend on them, But that the Prisoner was not at Home; that the Prisoner's Wife told him, that he had said when he went out he was going to the Committee & that the Prisoner was taken in few Hours after.

Adam Shufelt being sworn was interrogated as follows:

*Prisoner.* Was you not at my House before I was taken?

*Ans[r]* Yes.

*Pris[r]* Did I not ask you the nearest way from my House, to go to the Committee?

*Ans[r]* Yes you did.

*Pris[r]* Was you not at my House when I went off to the Committee?

*Ans[r]* Yes I was at your House, when you went off & said you were going to the Committee.

*Judge Adv.* Do you know whether the Prisoner swore any Persons to be true to the King?

*Ans[r]* Yes, I was present at Clints House when several Persons were sworn by Clint to be true to the King & to keep it secret.

*J. Adv.* Did they not enter into some Contract to assist the British Troops?

*Ans[r]* Not that I Know of, But the Contract that was entered into, was intended as an Agreement to assist Each Other in defending their Property against all Persons especially the Yankees, who as they were informed, would burn their Houses & property, in Case they should be beat by the British Troops.

*Court.* Do you know of any Person who has advised persons to swear to be true to the King?

*Ans[r]* I do not.

*J. Adv.* Did the Prisoner Tell you what he was going to the Committee for?

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*Ans*r He said he was going to the Place of Rendezvous of the Company he belonged to, to March with the Militia.

Confirmed. The Prisoner having no further Evidence to offer—The Court, on Consideration of the Matter do sentence that the Prisoner John Clint do suffer Death.

The Court adjourned till Friday Morning 9 o'clock.

Friday, May 23d

The Court met pursuant to adjournment.

Present as before.

The Court adjourned till Saturday Morng 9 o'clock.

Saturday, May 24th

The Court met pursuant to adjournment.

Present as before.

Arnout Viele of Livingston's Manor in the County of Albany was bro't before the Court & the Judge Advocate exhibited the following Charges against him, Vizt

"You Arnout Viele stand Charged For that you being a Member of the State of New York protected by the Laws thereof & owing Allegiance thereto, On the 28th Day of April last past & at Divers other Days & Times, both before and after & since the 16th Day of July 1776, at the Manor of Livingston in the County of Albany Did Wickedly, traitorously & treasonably, contrary to your Allegiance aforesaid, levy War against the said State, within the same, By Inlisting many of the Subjects of the said State into the Service of the King of Great Britain then and now in actual War against the said State within the same & by swearing divers Persons the Subjects of the said State to bear Faith & true Allegiance to the said King of Great Britain & to defend his Crown and Dignity. thereby adhering to the King of Great Britain & others the Enemies of the said State within the same, Giving them aid & Comfort, contrary to the Resolutions of the Convention of the said State."

The Prisoner confessed that he had sworn several Persons to Secresy & to bear Faith & Allegiance to the King of Great Britain, But pleads not Guilty to the Charge of enlisting Men into the Service of the King of Great Britain.

The Judge Advocate thereupon proceeded to the examination of witnesses in support of the Charge.

Matthew Vischer Esqr Clerk of the Committee of Albany being sworn, The Judge Advocate produced in Evidence, a paper purporting to be Instructions for Inlisting men into the Service of the King of Great Britain, which being read is in the words following, Vizt

"I A. B. Do swear to keep secret all that you shall say or read to me, and not to reveal the same to Blood Relations or any person whatsoever. So Help me God."

"By the Request of the Honble William Howe, Esqr General & Commander of his Majestys Forces in America & William Tryon, Esqr Governor in & for the Province of New York & Likewise by the Desire of Sir John Johnson, Bart that a Battalion of Loyal Volunteers be inlisted in the County of Albany to serve in & for the Province of New York, &ca &ca &ca For the Preservation of their Lives & properties & more Especially to Shew their Loyalty & Affection to his Majesty, in order to assist in Restoring public Peace & Tranquillity in this distressed Country, as they cannot expect any Friendship or Protection from his Majestys Forces, If they do not do their utmost Endeavours to assist his Majesty in subduing & Conquering his Rebellious Subjects in order to bring them to condign Punishment."

"I therefore for the more speedy & in the most secret Manner order a Battalion of Loyal Volunteers to be inlisted & Each Officer & private Volunteer to take an Oath to keep secret Every thing that shall be communicated to them by their Superior Officers; that J. H. Esqr is Chosen & appointed Colo Commandant of said Battalion of Loyal Volunteers & Each Company is at least to consist of Fifty Rank & File, with one Capt. one Lieut. one Ensign & when raised & joined his Majesty's Forces, Each Officer & Private Volunteer, will receive the same Pay, Clothing, Arms & Accoutrements, as any other enlisted American Volunteer, & to be intitled

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to the same Lands as any regular Soldier. The said Loyal Volunteers will be discharged with the first American Battalions."

"I A. B. do swear to be true to King George & serve him honestly & faithfully in Defence of his Person, Crown & Dignity against all his Enemies in America or Opposers whatsoever, to keep secret & to observe & obey the Orders of my Superior Officers, that shall be issued out from Time to time. So help me God."

*Judge Adv.* Did you ever hear the Prisoner confess that he had sworn any Persons to bear Faith & Allegiance to the King of Great Britain or that he inlisted any Person into his Service? If he had sworn any. How many & when? & did you ever shew him the Paper just now read & now produced to you & what did he say Concerning it?

*Ans*r The Prisoner has this Day confessed to me That he had sworn between sixty & seventy Persons to be true to the King. I have shewn him the paper produced in Evidence & he confessed that he had made Use of a paper similar to It in the swearing of the Men; in the following manner, viz*t*—that he first tendered them the Oath of Secrecy, & thereafter read to them the Request of General Howe, Gov*r* Tryon & Sir John Johnson & that he then tendered to them the Oath of Allegiance at the End of the Request & swore them. He also told me that when he tendered the Oath of Allegiance to the Persons sworn by him, He told them, That it was at their Option to take It or not—I did not ask him whether he had inlisted any Men—He told me he was advised by one Hendrick Plass & Christian Wear to swear the Men, so sworn by him, & he said that he had received the Paper made Use of by him from Plass; & that he had done it much against his Inclination.

Abraham Whitbeck of Claverack being sworn says, that some time in April last he was informed by his Father Peter Whitbeck, that several Persons were to meet at the House of Cornelius Vos, On a Certain Day & that his Father asked him whether he would not go there; that his Father went there & he followed about an Hour & an half after him; That while he was there, he was asked by the Prisoner to take an Oath to keep secret what was there to be done which Oath was administered to all the Persons there, by the Prisoner; that the Prisoner read to them a Paper & swore his Father, him & the other Persons who were there, to be true to the King of Great Britain; that the Prisoner thereupon took down his Name & the names of the Persons who were there sworn, on paper, by the Consent of those Persons, But does not know whether It was on the paper containing the Oaths, which were administered to them.

The Judge Advocate thereupon read to him the Papers, read in Evidence & produced to the Prisoner by Mr Vischer.

*J. Adv.* Is not the Paper now read to you, like that read to you by the Prisoner?

*Ans*r Yes.

*Court.* Were you to join the Regulars or British Troops when they should come up the North River?

*Ans*r Yes, we expected to join them if they wanted us; the Prisoner told me so.

*J. Adv.* Who was the most active Man at your Meeting?

*Ans*r The Prisoner.

*J. Adv.* Was the Prisoner concealed when you came to the House of M*r* Vos? & did he or did he not tell you, that you & the other Persons there, must first take an Oath to keep secret & he would read to you the Orders of Gen*l* Howe?

*Ans*r He was concealed in a Back Room & when we came into It, he said we must take the Oath to keep secret & he would read the Orders of General Howe; we took the Oath & he read the Orders which I think were the same with those now read to me.

*Court.* Did the Prisoner tell you when he swore you to be true to the King, that you were to remain still at home?

*Ans*r No, I do not remember that he ever told me so.

*J. Adv.* Did not the Prisoner tell you, that if any of the Persons inlisted were taken by the Whigs that they would be rescued?

*Ans*r Not that I recollect.

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*J. Adv.* Did not the Prisoner order You to be ready to join the Regulars when they should come up the River?

*Ans*$^{r}$ Yes, he did.

*J. Adv.* Who were to be your Officers?

*Ans*$^{r}$ I do not know, but understood they were to be chosen by Myself and the other Men who inlisted as Soldiers.

*Prisoner.* Did I not ask you when I read the last Oath to you, after reading the Request of General Howe, whether you were willing to take it or not?

*Ans*$^{r}$ You did & I certainly was willing or would not have done it.

*Pris*$^{r}$ Did I tell you to join the Regulars, when they came up the River or not?

*Ans*$^{r}$ I do not know, but tho't the Orders read to me mentioned it.

*Pris*$^{r}$ Did your Father tell you that I was to be at the House of Cornelius Vos?

*Ans*$^{r}$ He did not, nor did I know who the Persons were that were to meet there.

*Pris*$^{r}$ Did you ever hear that I was to have a Commission, or did you ever think so?

*Ans*$^{r}$ No.

*Pris*$^{r}$ Did I not tell you that these Oaths were taken to save our Estates & Families?

*Ans*$^{r}$ Not that I know of.

*J. Adv.* Did you ever hear your Father & Brother, who also took the Oaths, say that they tho't themselves bound to join the Regulars when they came up?

*Ans*$^{r}$ They told me they tho't themselves bound to join them, when they should come up.

The Judge Advocate having gone thro with the Evidence on the part of the Prosecutor The Court adjourned 'till Thursday morn$^{g}$ 27$^{th}$ at nine o'clock.

The Court met pursuant to Adjourm$^{t}$

*Present:* The President.

| | |
|---|---|
| Colo$^{s}$ Van Bergen, | Majors Cuyler, |
| Van Schoonhoven, | Banker, |
| Vrooman, | Ford, |
| Whiting, | Van Rensselaer, |
| Lt. Colo$^{s}$ Schuyler, | Captains Bleecker, |
| Beekman, | Douw, |
| Van Rensselaer, | Oothout. |

The Court thereupon proceeded to the Examination of Witnesses for the Prisoner, Arnout Viele.

Major Dirck Jansen of Livingston's Manor being sworn says that he has known the prisoner for six or seven years; that he bore a pretty good Character.

*J. Adv.* Do you know of his having been concerned in Tory Conspiracies?

*Ans*$^{r}$ I have heard so, but have no Personal knowledge of his being Concerned.

*Pris*$^{r}$ Was I ever backward in turning out with the Militia?

*Ans*$^{r}$ Not that I know of.

*J. Adv.* Does the Prisoner belong to your Regim$^{t}$?

*Ans*$^{r}$ Yes.

M$^{r}$ Petrus Wynkoop Jun$^{r}$ of Livingston's Manor being also sworn, says that he thinks he has seen the prisoner before, but knows very little of his Character, till the late Plot.

*Pris*$^{r}$ Did you not hear of the Plot before It was discovered?

*Ans*$^{r}$ I had not heard of It till your Brother discovered It to the Committee, after the Battle that happened between the Whigs & Tories.

*Court.* The Prisoner alledges that Colo. Livingston's Sons John & Henry were said to be concerned in the Conspiracy. Did you ever hear of their being in any Manner concerned in It?

*Ans*$^{r}$ No. Not till this Plot was discovered, when the Persons apprehended, made this as a Plea in Excuse of themselves.

*Court.* Have there been any Grounds of Suspicion agt Lieut. Colo: Henry Livingston?

*Ans*$^{r}$ No not otherwise than from the Information of the persons apprehended.

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The Prisoner having no farther Evidence to Offer; The Court proceeded to the Consideration of the Evidence offered, as well for as against him & are unanimously of Opinion that the Prisoner is Guilty of all the Charges Exhibited against him and do sentence him to suffer Death.

Confirmed, to be hanged.

William Frazer of Ballstown in the County of Albany was bro't before the Court & the following Charge was exhibited against him by the Judge Advocate. Vizt.

"You William Frazer stand charged for that you being a Member of the State of New-York protected by the Laws thereof & owing Allegiance thereto On the sixth Day of May instant & at divers other Days & Times both before & after & since the 16th Day of July 1776, at Balls Town in the County of Albany Did wickedly, traiterously & treasonably contrary to your Allegiance aforesaid, levy War against the said State within the same By withholding your allegiance & services from the said state & by attempting to go off privately to the Enemies of the said State, & by aiding & abetting divers Other Persons the Subjects of the said State to go off privately to the Enemy of the said State, then & now in actual war against the said State within the same; and that you on the Day & year & at the Place aforesaid did adhere to the King of Great Britain & Others the Enemies of the said State within the same Giving them Aid & Comfort, contrary to the Resolutions of the Convention of the said State."

The Prisoner pleaded not Guilty, Whereupon the Judge Advocate proceeded to the Examination of Witnesses in Support of the Charges.

James Gordon of Balls Town, being sworn says that about the first of April last, one James Fullerton told him that Every Person who did not take up Arms against the Regulars (meaning British Troops) should not be hurt in Case they conquered the Country; that he heard that Capt. Collins was coming to Albany to procure a Company of Men, to take & Carry him & others, who were supposed to be disaffected to the Country, as Prisoners to Albany; that thereupon he withdrew into the Woods, to prevent his being taken & for no other purpose; that he found several Balls Town People there & among others the Prisoner, & that he says also some Strangers who were said to be from Tryon County; that the Prisoner told the Balls Town Party if they would chuse him for Captain, for the Campaign, he would act as such, or they were at Liberty to choose another, if they tho't proper; that he was thereupon unanimously chosen Captain for the Campaign (meaning by the Term, Campaign, the Time they should be out); that John Fairman was called Lieutenant by the Party, that Thomas Frazer was chosen Captain of the Tryon County Party. That they heard Guns fired in the Woods & suspected that the Militia were in Search of them; that the Prisoner thereupon said he would go to Crown Point & that he would take his Party with him, if they chose to go; that he said if the Regulars were there, they would be safe (meaning that if the British Troops were to conquer the country, he tho't he & his Party would not be hurt); That the Prisoner said, he would return home after he had been at Crown Point & seen the regulars, if he could get a Protection for himself & his Party; that he ordered his Party if they saw a small Party of Militia in the Woods which they tho't they could beat, they should shew themselves & bid the Party stand off at their Peril; But if the Party was too strong, that they should hide themselves in the Woods.

*Judge Adv.* When were you taken & at what Place?

*Ans'* I and the Prisoner & others were taken some Time in the first of May I think, about sixteen Miles north of Balls Town.

*Judge Adv.* Where were you going to when taken, & had you Arms?

*Ans'* We had Arms & were on our Way to Crown Point, to prevent our being taken by the Militia.

*J. Adv.* Were any of the Party engaged to remain at Crown point? or were they inlisted?

*Ans'* Not to my knowledge.

*J. Adv.* Did the Tryon County Party go with you?

*Ans'* No, they left us in the Woods & went a West Course from us.

*Court.* What number did your Party consist of & had they all Arms & Ammunition?



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*Ans*r I never counted the Men, but heard the Continental Captain, who took us, say that the Party consisted of 39. All had Arms Except two or three & I suppose all had ammunition, but am not positive; I got my Gun in John Christie's House, by his Leave & borrowed my ammunition from some of the Party.

*Court.* What do you suppose was the Intention of the Party in taking Arms with them?

*Ans*r I do not know.

*J. Adv.* What did the Prisoner & party intend to do in case they should not find the British Troops at Crown point?

*Ans*r It was not determined what we should do, as we expected to find the Regulars at C. Point.

*Pris*r Did I not send a Man to Balls Town to see whether we could safely return home? & what answer Did he bring?

*Ans*r You did, & the Man said in Answer that his Cattle were taken & all the Persons who had been left there were also taken & It was determined by us, to go out of the Way of the Militia.

*Pris*r Did I ever say anything injurious to the Country?

*Ans*r You did not.

*Pris*r Did I not say, I would not remain at Crown Point but would only get a Certificate that We might be safe in Case the Country should be Conquered?

*Ans*r You did.

*J. Adv.* Had you any Quantity of Provisions with you?

*Ans*r We tho't we had enough to carry us as far as Crown Point.

Joseph Proctor, of Balls Town being sworn says, that some Time in April last William Grant & John Fairman came to his House & told him that a number of Tories were collected at the Kayaderosseres Falls & asked him to go with them, which he did; that Thomas Frazer Brother to the Prisoner met them there; that there were about 30 or 40 persons there, who were reputed to be Tories, as well as himself; that most of the Party had arms; that the Prisoner joined them there & that he ordered them to form a Circle & then called out, Asking them, whether they would chuse him as their Captain, or that if they could chuse any Person who understood It better they should do It; that they thereupon unanimously chose the Prisoner Captain, by holding up their hands; that a Party of Men from Tryon County chose Thomas Frazer Captain to command them; that the Tryon County Party consisted of between 40 or 50 and had but 4 or 5 Arms; that at the Falls Thomas Frazer proposed to his Party to go to Crown Point; that they all turned out to go with him; that three Days thereafter being near a Mountain about 9 miles north of Balls Town, the Tryon County Party, not having Arms or Provisions, declined going & returned home; that the Prisoner thereupon proposed to his Party to proceed to Crown Point, where he said he, as well as all the Party, supposed the Regulars would be; that they all agreed to go & Thomas Frazer was to go in Company & that the Prisoner said to his Party, that they would be safe enough, if once they were there; that the Prisoner ordered his Party, if they were attacked & fired upon, they should return the Fire, if they thought they were able to beat the Persons that should attack them, If not, that they should make the best of their way; that he also said he would support his Party at Crown Point, in Case they should stand in need.

*J. Adv.* What was your Intention in Case you should find no Regulars at Crown Point?

*Ans*r That was not tho't of, for we fully expected to find the Regulars at Crown Point.

*J. Adv.* What was the Cause of your going into the woods?

*Ans*r We heard That all such as were suspected to be Tories would be taken up.

*J. Adv.* Was you ever acquainted with the Prisoner till this Affair happened?

*Ans*r No.

*Court.* Did you not understand from the Prisoner where he was to get Money for you?

*Ans*r I did not know but he had Money.

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*J. Adv.* By whom were you and the Prisoner taken?

*Ans*$^{r}$ By Colo. Gordon & Capt$^{n}$ Collins.

*Prisoner.* Did I not advise you after we had sent a Man to see Whether we could go home in Safety, that Every one who chose to go home, should do It?

*Ans*$^{r}$ I do not recollect It, but It was proposed by All the Party, that as they had gone so far, It was most advisable to go on to Crown Pt.

*Pris*$^{r}$ Did I not say to you that I never would join the Regulars & become a Soldier?

*Ans*$^{r}$ You may have said It, But I did not hear It, as I am a little thick of Hearing.

*Pris*$^{r}$ Did I ever coax any Person to go to Crown Point?

*Ans*$^{r}$ Not that I know of.

*Pris*$^{r}$ Did you ever hear me say that I would do any Injury to the Country? or did I advise others to do It or to take Arms against It?

*Ans*$^{r}$ You never did.

*Prisoner.* Did you ever hear Itsaid, by any of the Party, that I intended to join the Regulars & return to do Injury to the Country?

*Ans*$^{r}$ I never did.

John Colebraith of Balls Town being sworn says, that some Time on the first of May James Gordon advised him to go into the woods; that he had heard that several Persons & among Others the Prisoner were gone off in order to avoid taking the oath, which he heard every Person was ordered to take; that he heard It called the Oath of Allegiance to New York or the Congress; that Gordon informed him, there were Regulars in the woods, who would assist them, in Case they were molested; that they intended to come down with the Regulars, that they might be safe; that William Frazer the Prisoner was a Captain; that the Prisoner said they were to go to Crown Point & to come down with the Regulars, not to hurt the Inhabitants, but that they might be safe; that having the Men drawn up, the Prisoner said, that those who chose to go home, might do It; that the Pris$^{r}$ also said to them, that if they got to the Regulars those who had an Inclination to inlist might do It; that the Prisoner said he had no authority or Power to make his Party go with him to Crown Point, but that he would do as they did & that the Prisoner said he did not know whether the Regulars were there or not.

*J. Adv.* Were you & the Party taken in Arms & had you Ammunition?

*Ans*$^{r}$ We had Arms & a little Ammunition.

William Agnew of Campbell's Bush being sworn says that some Time the first of last April he saw the Prisoner at Schenectady & Conversed with him on the subject of the Dispute between Great Britain & America, & that the Prisoner told him that a party was going into the Woods; that there would be many People who would go into the Woods & join that Party; that he consented to go, & went afterwards; that the Prisoner was called Captain; that while they were in the woods Capt. Frazer said that such of his Men as chose to go to Crown Point should turn out & such as chose to go home might go; that the Prisoner swore him to be true to the King; that the Prisoner said he had heard that Such Persons as joined the Regulars should have 100 Acres of Land.

*Pris*$^{r}$ Did I send word to you or did I ask you to go into the Woods with me?

*Answer.* No; you did not.

*Court.* Did you consider yourself to be a true subject to King George?

*Ans*$^{r}$ Yes I did.

*Court.* Did not the Prisoner tell you he was going or ask you to go to Crown Point?

*Ans*$^{r}$ I did not hear him say so, but it was repeatedly talked of, to go to Crown Point.

*Pris*$^{r}$ Did not my Brother direct you & the Men who were in the Woods, to go home?

*Ans*$^{r}$ Yes he did.

The Judge Advocate having gone thro his Evidence. The Prisoner in his Defence alledges that he was informed that he & some other Persons were in

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Danger of being taken by the Militia and carried Prisoners to Albany as being tho't unfriendly to the American Cause. that he with the other Persons thereupon retired into the woods, to avoid being taken by the Militia & afterwards determined to go to Crown Point, to procure a Protection from the British Troops, that they might not be injured in Case this Country should be Conquered.

Confirmed.

The Prisoner having no Evidence to offer the Court proceeded to the Consideration of the Evidence offered against him & are of Opinion that he is Guilty of the Charges exhibited against him. And Do sentence that he suffer Close Confinement in a Goal for twelve Months at his own Expence.

The Court adjourned for an Hour.

The Court opened pursuant to Adjourmnt

Present as before—Also Major Goes.

Thomas Blewer of the Manor of Rensselaerwyck in the County of Albany was bro't before the Court & Charged as follows:

"You Thomas Blewer stand charged For that you being a Member of the State of New York protected by the Laws thereof & owing Allegiance thereto on the 20th Day of April last past & at divers Other Days & Times both before & after & since the 16th Day of July 1776, at the Manor of Rensselaerwyck in the County of Albany, Did wickedly, traiterously & treasonably, contrary to your Allegiance aforesaid, levy war against the said State within the same, by swearing to bear Faith & true Allegiance to the King of Great Britain & to defend his Crown & Dignity, the said King then & now being in Actual War against the said State, and that you in the Day & Year & at the Place aforesaid Did wickedly, traiterously & treasonably contrary to your Allegiance afd adhere to the King of Great Britain & Others the Enemies of the said State then & now in Actual war against the said State within the same, Giving them aid & Comfort contrary to Resolutions of the Convention of the said State."

To these Charges the Prisoners pleaded Not Guilty.

Whereupon Hendrick Hooghteeling of the Manor of Rensselaerwyck being sworn in Support of the Charges, says, that some Time in April last, He with one Palmeter his Captain who is a Tory, the Prisoner & a party of men who were Tories, were collected at the House of one John Ibes; that he as well as the Men with him had sworn Allegiance to the King & that they were informed, that the Militia were in Pursuit of them, and that at night they determined to go to the House of the Prisoner, thinking it more safe there than the Place they were at; that the Prisoner advised them to go to his House where he said they would be unmolested; That the Prisoner had arms with him & accompany'd them; that the Greater Part of the Men had Arms; that he believes the Prisoner was privy to their Designs; that he was reputed to be a Tory & acted & Conversed as such with Capt. Palmeter and the Men of his Company; that while they were at the Prisoners House his Wife provided Captn Palmeter & the Men of his Company with Provisions & that It was not paid for to his knowledge, that the same Night they were attacked by Captn Dennison of the Militia with a Party of Men; that on their coming up, one William Cronkheit, who stood Centinel at the Door of the Prisoners House, hailed them, asking what Men they were, they answered Congress Men & he returned for answer that they (meaning the Persons in the House) were Kings Men & that Capt. Dennison's Men shot at him & killed him on the spot; that the Centinel had also fired on them; that when the firing was over, Capt. Palmeter the Witness & prisoner went out; that the Prisoner, he thinks had arms then; that some time thereafter, Lieut. Shaw & Samuel Sweet of Captn Dennison's Party were taken Prisoners by Thomas Blewer, Paul James & Captn Palmater; that the Persons who were taken Prisoners were carried into the Woods & shortly after sent back to the House; that in a Very short Time thereafter Capt. Palmeter & all his Party went off from the House; that he being wounded that night, remained there; that the Prisoner went off with Palmeters Party & that he was reputed to be a soldier in Captn Palmeters Company.

*J. Adv.* What was the reason of raising the Company & how many were there?

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*Ans*r I was informed by Capt$^{n}$ Palmeter that the Reason of our swearing was to prevent our being destroyed by the Indians, who we were informed were coming down in Great Numbers; we were informed that Every ten Indians would be headed by one white man and would destroy all that had not a certificate of their being true to the King. That the number of our men was 24, about 18 of whom had Arms.

John Heydle being sworn says, That some time in March the prisoner came to him at his House and desired him to come to his the Prisoners House or Cornelius Sluyters and asked him whether he would not sign to be true to the King, That he (the witness) said It was hard to do It, in case it should be discovered, That the prisoner said that he did not think the Americans would gain the Cause, That the Prisoner also said that a Great Number of Indians were coming down, having one white man for every ten Indians, who would destroy all that had no certificate or that they would be sent to New Spain, That he had asked the Prisoner whether giving his name would not answer the Purpose, the Prisoner answered that will not do; and that he saw no Paper, nor signed any.

Cornelius Sluyter being sworn says, that some time last Winter, he was informed by the Prisoner, that one Palmeter was Going about to procure men, to sign to be Subjects to King George; That some time thereafter he went to the Prisoners House where he saw Palmeter, and that he heard him read a paper, which he called a Warrant to enlist Men for the King; that he was prevailed upon to swear & sign the Paper to be true to the King; that the Prisoner was sworn & signed the Paper at the same Time; that they first took the Oath of Secresy & thereafter the Oath of Allegiance.

*Court.* Did you ever hear of the Prisoners having any Office in Cap$^{t}$ Palmeters Company?

*Ans*r None that I know of, he is too Ignorant.

John Ibe, of the Manor of Rensselaerwyck being sworn says, that last Shrove Tuesday the Pris$^{r}$ came to his House with one Palmeter; that he had a Paper which he called Gen$^{l}$ Howe's Proclamation; that he read It & asked him (the Witness) & the other Persons with him to sign It; That he saw the Prisoner make his Mark to It; That he never heard of his being sworn by Clint.

The Judge Advocate having gone thro the Prosecution & the Prisoner having no Evidence to offer in his Defence; the Court proceeded to the Consideration of the Evidence offered on the Part of the Prosecutor & are of Opinion that he is Guilty of the Charges exhibited against him & Do therefore sentence him to suffer Twelve Months close Imprisonment at his own Expence.

Confirmed.

The Court adjourned 'till Wednesday Morning, May 28$^{th}$ 9 o'clock.

Wednesday May 28$^{th}$ 1777.

The Court met pursuant to adjournment.

Present as before.

Alexander Patterson of Claverack in the County of Albany, was bro't before the Court & Charged as follows,—

"You Alexander Patterson stand charged For that You being a Member of the State of New-York protected by the Laws thereof & owing allegiance thereto, on the fourteenth Day of April & at divers Other Days & times both before & after & since the 16$^{th}$ Day of July 1776, at Claverack in the County of Albany Did wickedly, traiterously & treasonably, contrary to your allegiance aforesaid, levy war against the said State within the same, By Entering into the Service of the King of Great Britain & by Inducing many of the Subjects of the said State to inlist into the Service of the King of Great Britain then & now in actual war against the said State, within the same, and that you on the Day & year and at the Place aforesaid did, contrary to your Allegiance aforesaid, wickedly, traiterously & treasonably adhere to the King of Great Britain & others the Enemies of the said State within the same, Giving them aid & comfort contrary to the Resolutions of the Convention of the said State."

The Prisoner pleaded not Guilty.

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Whereupon Christian Smith of Claverack, being sworn Saith That some Time in April last, He, this Depon^t went to the House of the Prisoner in Company with one Henry Emrigh; that the Prisoner swore the said Emerigh to Secrecy; that he tendered the Oath of Secrecy to him (the Witness) But that he affected to take It, & Evaded Swearing, thro want of attention in the Prisoner; that the Prisoner advised Emerigh & him to do their Duty as Militia Men, But in Case of an Alarm to keep out of the way & not to take up Arms against the King; that they thereupon left the Prisoner, that three days after they returned to the Prisoners House, that the Prisoner got a paper which he called inlisting Orders from General Howe, Gov^r Tryon & Sir John Johnson; that the Prisoner read the Paper & delivered It to him with Directions to inlist 50 Men; that when he had raised 50 Men, he (the Witness) should come to him & he (the Prisoner) would cross the North River with him & promised him (the Witness) that he should be an Officer;—that the Prisoner informed him that one Hewetson was an officer & put down the Innetial Letter of his Name in the Inlisting Instructions, Saying that if he (the Witness) lost the Paper, Huston could not be injured by It;—that the Prisoner did not at that Time tell him from whom he got the Papers; that the Prisoner informed him, that when Hewston was made Prisoner All his Papers were safe. That the Prisoner wrote one oath on the enlisting Instruction, which he received from him; that he thinks there were two oaths on the Paper; But that he can neither read or write.

*Pris^r* Did you ever receive any Money from any Person, to swear against me? & was you not sent to my House to betray me?

*Ans^r* No.

*Prisoner.* Did I ever tell you that I would injure any Person or the Country or not?

*Ans^r* No.

*Pris^r* Was I not always ready to turn out with the Militia?

*Ans^r* You was always ready.

*J. Adv.* What was the Cause of your going to the House of the Prisoner?

*Ans^r* Henry Emrigh & myself came from a Training he asked me whether I could keep a Secret & told me that he could take me to a Man that was able to tell me more than ever I knew before. We agreed to meet the next Day, & then went to the House of the Prisoner, But he was not at home & did not come to his House till Evening, when he swore us as above related.

John Mesick of Claverack being sworn says that some time in April last, the Prisoner told him that he had sworn Christian Smith & said he had delivered him a Paper to get Men he thinks he heard the Prisoner say that he had sworn Emerigh, but is not certain of It. That while himself & the Prisoner were Confined the Committee frequently sent for Smith, that the Prisoner expressed his Apprehensions, that Christian Smith would injure him, that he said Christian Smith knew more of him than He (the Witness) or others, that he never saw any Papers of the Prisoner; & that the Prisoner said he was sorry that Huston was taken, fearing that their Plan would be discovered.

*Pris^r* Did you hear that I had a paper of Huston?

*Ans^r* I think I have & also think I heard you say so.

Major Goes, a Member of the Court, being sworn, says that he has known Christian Smith several years; that his General Character was pretty Good & that he was pretty well Esteemed in the neighborhood; That he has known John Mesick several Years & never has heard any thing prejudicial to his Character.

*Pris^r to John Mesick.* Did you ever hear that I inlisted any Man or swore any to be true to the King?

*Pris^r* I have heard you say that you had sworn Christian Smith & I think you also said Henry Emrigh.

The Judge Advocate having gone thro' his Evidence & the Prisoner having nothing to alledge in his Defence,

The Court in Consideration of the Evidence offered against him are of opinion that he is Guilty of Adhering to the Enemies of the State &c. and not Guilty of the Other Charges against him. The Court do therefore sen-

Confirmed, the branding remitted.

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tence that he be branded in the left Hand with the Letter T & that he thereafter suffer twelve months close Imprisonment at his own expence.

The Court adjourned till Thursday Morn^g May 29^th 9 o'clock.

The Court met pursuant to adjournm^t.

Present as before, also Lieut. Colo. Van Veghten.

Thomas Frazer of Balls Town in the County of Albany was bro't before the Court & Charged as follows—

"You Thomas Frazer stand charged For that you being a Member of the State of New York protected by the Laws thereof and ow^g allegiance thereto, on the sixth Day of May instant, and at divers other Days & Times both before & after & since the 16th Day of July 1776 at Balls Town in the County of Albany, Did wickedly, traiterously and treasonably, contrary to your allegiance aforesaid, levy war against the said State, within the same, By adhering to the King of Great Britain & others the enemies of the said State, then & now in actual war against the said State, within the same, Giving them Aid & Comfort, And that you on the Day & Year & at the Place aforesaid, wickedly, traiterously & treasonably, Did attempt to go off privately to the Enemy of the said State & Did aid and abet others the subjects of the said State to go off privately to the Enemy of the said State then & now in Actual War against the said State, within the same, Contrary to the Resolutions of the Convention of the said State."

The Prisoner pleaded not Guilty.

Whereupon the Judge Advocate proceeded to the Examination of Witnesses in Support of the Charges.

James Gordon of Balls Town, being sworn saith That some Time in April last, being informed by a certain James Fullerton that such Persons as were not found in Arms, when the British Troops came up, would not be injured if the country was conquered & being also told by Ephraim Currie that Cap^tn Collins was gone to Albany to procure a Company to take & carry him and others who were supposed to be disaffected to the Country, Prisoners to Albany, he retired into the Woods to prevent his being taken; that he found several persons from Balls Town there; and also several persons who were said to be from Tryon County; that the Prisoner came there shortly after him. That William Frazer was chosen Capt^n of the Balls Town Party & that the Tryon County Party chose the Prisoner as their Captain; that on hearing the firing of Guns in the Woods, they thought that they were pursued; that soon thereafter William Frazer proposed to go to Crown Point to be protected by the Regulars & that the Company agreed to go; that the Prisoner accompanied them & that he was taken with them about sixteen miles north of Balls Town, on their way to Crown Point, that the Tryon County Party left them, but the Prisoner remained with them.

*Pris^r* Do you not remember that I proposed to go home & desired the men of my Party to go home.

*Ans^r* I do not know It.

Joseph Proctor of Balls Town being sworn says, that some time in April last, being informed that a number of Tories were collected at the Kayaderosseres Falls & being requested to join them, he went and found the Prisoner there; that he found between 30 & 40 other Persons there, most of whom had arms; that there was a party of Men from Balls Town, and another Party from Tryon County; that the former chose William Frazer Capt^n & the latter chose the prisoner their Capt^n; that his Party consisted of between 40 & 50 only 4 or 5 of whom had arms; that the Prisoner proposed to the Men there collected to go to Crown Point, that they all turned out to go; that about 3 Days thereafter at a Mountain about 9 miles north of Balls Town the Tryon County Party declined going to Crown Point that W^m Frazer and his Party agreed to go on and that the Prisoner went with them.

*J. Adv.* What was the declared Intention of the Party in going to Crown point.

*Ans^r* We expected to find the Regulars there, where we tho't we would be safe from the Militia, who we heard were in pursuit of us to take us as being Tories.

*J. Adv.* Were all the Party esteemed to be Tories?

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*Ans*r They were all tho't to be Tories by us.

*Pris*r Do you not know that at the Falls I advised the Men to go Home?

*Ans*r I remember I heard Something said about It.

*Pris*r Did you ever hear me say anything injurious to the Country?

*Ans*r I never did.

*Court.* Was the Prisoner the first Man who proposed to go to Crown Point?

*Ans*r He being Chosen Captain, advised with his Men, whether they would go to Crown Point or not or what they would do.

John Colebraith of Balls Town being sworn, saith That being informed by James Gordon that a number of persons were collected together in the Woods (he knows not for what purpose) & being advised to join them, he went, that he found the Prisoner & William Frazer & others at the House of John Christie; that he heard that William Frazer was chosen Captain & the Prisoner was chosen a Lieutenant, but does not know what he was.

*J. Adv.* What was the cause of their going off?

*Ans*r I heard It was to avoid taking an oath which was ordered to be taken by Every Person, I think it was called the Oath of Allegiance to the State of New York.

*J. Adv.* Did you hear the Prisoner talk of going to Crown Point?

*Ans*r I did.

*Pris*r Did you ever hear me say anything injurious to the Country?

*Ans*r I never did.

*Pris*r Did you ever hear me advise the People from Tryon County to go home & did you Ever hear me talk of Going home Myself?

*Ans*r I have heard you advise the Tryon County People to go home, But did not Hear you say that you would go home.

The Judge Advocate having no further Evidence to offer The Prisoner in his Defence alledges that he was fearfull of taking the Oath of Allegiance to the State of New York mentioned by the Witness John Colebraith least, if the Country was conquered by the British Troops, he should suffer for It, & for that Reason retired into the woods; that after they were in the woods he agreed to go to Crown point that he might avoid being taken by the Militia, as being unfriendly to the American Cause.

The Court in Consideration of the Evidence against him, are of Opinion that he is Guilty of Every Part of the Charge Exhibited against him, Except that of Aiding & Abetting the Subjects of the State to go off privately to the Enemy And do therefore sentence him to suffer close Imprisonment for twelve months at his own Charge & Expence.

Confirmed.

The Court adjourned till Friday Morng 30th 9 o'clock.

The Court met pursuant to adjourmt

Present as before, also Captn Bently.

Thomas Verte, Joseph Shearer, Alexander McLaughlin, John Mickle, John Fairman, Archibald McNeil, John Summerville, James Grant, John Burns, Michael Connor, & John McLaughlin of Balls Town; Hans Helmer, Duncan Robinson, Alexander Robinson, & John McIntire of Tryon County & Hendrick Ranion & William Reed were bro't Prisoners before the Court and charged as follows.

You Thomas Verte, Joseph Shearer, Alexander McLaughlin, John Mickle, John Fairman, Archibald McNeil, John Summerville, James Grant, John Burns, Michael Connor, John McLaughlin, Hans Helmer, Duncan Robinson, Alexander Robinson, John McIntire, Hendrick Ranion & William Reed stand jointly & severally charged, For that you being Members of the State of New York, protected by the Laws thereof & owing allegiance thereto, on the sixth Day of May instant & at divers other Days & Times both before & after & since the 16th Day of July 1776, at Balls Town in the County of Albany, Did wickedly, traiterously, & treasonably, contrary to your Allegiance aforesaid, levy war against the said State within the same By Secretly withdrawing & withholding your allegiance & Services from the said State & By adhering to the King of Great Britain & others the Enemies of the

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said State then & now in actual War against the said State, within the same, Giving them aid & comfort, and that you on the Day & year aforesaid at Balls Town in the County aforesaid, wickedly traiterously & treasonably, contrary to your allegiance aforesaid Did attempt to go off privately to the Enemy of the said State, then & now in actual war against the said State within the same, Contrary to the Resolutions of the Convention of the said State."

The Prisoners severally pleaded Not Guilty, Whereupon Colo. Gordon being sworn says that the Committee of Balls Town were informed that a Number of Persons who were reported to be unfriendly to the American Cause, were Collecting in the Woods north of Balls Town, but for what purpose they were not informed of; that he was ordered by that Committee to take such Part of the Balls Town Militia as could be collected, together with Capt^n Coggsdels Company of Continental Troops, under his command & to pursue & apprehend them; that in Obedience to his Orders, he pursued them & that he apprehended William & Thomas Frazer & the Prisoners about 20 miles north of Balls Town; that the Prisoners seemed to be on their March to Jessup's Patent as far as could be judged from their Rout; that the Number of Persons taken was 31 & the number of arms 27, that he has heard William Frazer confess & Joseph Proctor another of the Party swear, that they were on their Rout to Crown Point to receive protection from the British Troops.

The Judge Advocate having gone thro' his Evidence & the Prisoners having nothing to say in their Defence, The Court in Consideration of the Evidence against them are of Opinion that the Prisoners are Guilty of the two first parts of the Charge & not Guilty of the last Part of the Charge.

Confirmed, except taking the Oath.

The Court do therefore sentence, That they be fined fifteen Dollars Each & that they be imprisoned till the Fines are paid & the Prisoners take the Oath of Allegiance to the State of New York.

On reading the Proceedings of the Court Ordered that the same be signed by the President & delivered to General Ten Broeck to be transmitted to the Council of Safety.

By Order of the Court, STEPHEN J. SCHUYLER, *Presidt.*
RICH^D VARICK, Judge Advocate.

[Miscel. Pap. 39 : 39.]

At a General Court Martial of Officers of Militia held at Albany, in the State of New York on the twenty first Day of May 1777, continued by adjournment to the 23^rd—By order of His Honor Brigadier General Ten Broeck agreeable to the Resolution of the Convention of the State of New York passed on the 9^th of May instant.

*Present:* Colonel STEPHEN J. SCHUYLER, President.

Colonels Anthony Van Bergen,
Jacobus Van Schoonhoven,
Peter Vrooman,
William B. Whiting,
Lieut. Colo^l Philip P. Schuyler,
John H. Beekman,
Henry K. Van Rensselaer
James Gordon,
Major Abraham Cuyler,

Majors Flores Banker,
Isaac Goes,
Jacob Ford,
Andrew Mitchell,
John Van Rensselaer,
Captains John N. Bleecker,
Andries Douw,
Abraham Oothout &
Caleb Bentley, *Members.*

Lieut. Colo. Rich^d Varick, Judge Advocate.

The President & Members being Sworn & the Judge Advocate being also sworn, Israel Osborn of Kings District in the County of Albany, being a Prisoner was bro't before the court & the Judge Advocate exhibited the following charges against him viz:—

"You Israel Osborn stand charged for that You being a Member of the State of New York, protected by the Laws thereof & owing allegiance thereto, on the first Day of April last past and at Divers other Days & Times, both before & after, & Since the 16^th Day of July 1776, at Kings District in the County of Albany Did wickedly, traitorously, & treasonably, contrary to your allegiance aforesaid, levy war



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against the said State within the same by Inducing many of the Subjects of the Said State to inlist or by aiding & abetting others the Enemies of the said State to procure divers persons the subjects of the said State, to inlist into the service of the King of Great Britain, then & now in actual war against the said State, within the same, and By traitorously & wickedly attempting or aiding & abetting in an attempt to procure a Person to convey Intelligence to General Howe an officer in the Service of the King of Great Britain & others the Enemies of the said State, then & now in actual war against the said State, within the same, and that you on the Day & year & at the Place aforesaid was adherent to the King of Great Britain & others the Enemies of the said State then & now in actual war against the said State within the same, Giving them aid & Comfort, contrary to the Resolutions of the Convention of the said State."

The Prisoner pleaded Not Guilty, Whereupon the Judge Advocate proceeded to the Examination of Witnesses in Support of the Charge.

Edward Davis of Boston, late of Kings District being Sworn says, That some Time in April last He was at the House of Joseph Atwell in Kings District, who was reputed to be unfriendly to the United States & who confessed himself to be a Friend to the King of Great Britain; That he also passed himself there as a Friend to the King of Great Britain & an officer in the regular service; That he had a Red Coat & other the Dress of A Regular Officer; That he was thereupon recommended by Atwell to the Prisoner and his Sons, as a warm friend to Government; That he went to the Prisoner & there made known to him that he (the witness) was a Friend to the King & that he desired to Converse with him on the Subject of the present Controversy; That the Prisoner sent his Eldest son to put up his Horse & sent his other children (Except his two Eldest sons) out of the Room; that his wife remained in the Room; That the Prisoner asked him what vouchers he had of his being a Friend to Government; That he thereupon took General Howe's Proclamation & Capt Sullivans letter out of his Shoe & delivered them to him; That the Prisoner perused them & Said that he had had the Proclamation & read It but had not seen the letter; That the Prisoner having read them, returned them to him; That he asked the Prisoner how he stood affected to Government (meaning toward the cause of the King of Great Britain); That the Prisoner Answered we are all hearty in the Cause; That witness thereupon asked him, Whether there were any Young Men there, that would inlist into the Service for Lord Howe, For that he wanted to inlist 16 to join a Company Commanded by Capt. Andrew Palmeter, at little Hoseack into Genl. Howe's Service, That the Prisoner said there were no Young Men to be had there, & asked him whether he knew Palmeter; That he (the Witness) replied in the affirmative, That the Prisoner Said he knew him also; That the Prisoner told him that he knew where Capt. Palmeter lodged, That he directed him to Capt. Ailesworth, who was reputed to be a Tory, & that on his application, the Prisoner gave him a Recommendation to Capt. Ailesworth, as being a true Friend to Government—That he asked the Prisoner, whether they had Instruments to act with. The Prisoner replied no. That he & his sons had been disarmed, but that a Certain Gentleman (meaning Colo. Williams) who was gone to Esopus for Millstones, would procure the Instruments they should want; That he asked the Prisoner whether he had no Men for him; That the Prisoner Said no, & again asked him how many he wanted & that he replied again 16.—That he mentioned Several Young Mens Names of the Neighborhood whom he said he wanted to procure; That the Prisoner replied you can have none of them, they are all my Boys; by which Expression of *my Boys*, he understood that the Prisoner inlisted them for the service of Lord Howe; For that he had been before informed by Benjamin Atwell, that he was a Captain; that the Prisoner asked him how the Regular Troops (meaning British Troops) did? That he replied they were very well & would be up the River soon; That he told the Prisoner, if all those Persons whose Names he had mentioned, were already inlisted, he would be undone, For that he expected to have had them; That the Prisoner told him, if he had got his Complement for the person he was then procuring Men for, he would try to get some for him & that if he would return to the Prisoners House from Colo. Williams' (where he was going) & bring

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him Information whether the Colonel was at home. The Prisoner Said he would then shew him his brave Men. That he asked the Prisoner how many Men he had, the Prisoner replied, I have nine Companies almost or quite full; That from the Conversation which he had with the Prisoner he was lead to understand That the Pris^r was procuring Men for Colo Williams for the Service of Lord Howe; That he asked the Prisoner who were the Officers, That the Pris^r replied That Danl. Deane & one Peas were 1^st & 2^d Lieuts; That it was frequently mentioned in the Prisoners Presence, that he was to go to New York with Letters & Intelligence to General Howe; That it was proposed to carry this Design the more Effectually into Execution, the Prisoners son should procure one Belden to make a hollow Crutch for him, he having lost one of his legs, & that the Letters & papers should be put therein; That the Prisoner assured him, That if his son had engaged to get It done, he might depend on hav'g It; That the Prisoner said he had sent his & his Sons Names to Lord Howe, by some of the Regular (British) officers, who were at Hartford & were Exchanged; That after a short Conversation with the Prisoner he parted with him & went to Colo. Williams' House; That the Colo. was not at home when he came there, but arrived before he left the House; That he soon after left Colo. Williams' & met a Mr Sayre with whom he concerted measures to deceive the Prisoner, But that the prisoner was not at home, when he came there; That on the Prisoners' coming home, He abused him (the witness) calling him a Villain, Traitor & Rascal, & Saying that he was neither Good for King or Country & that after a short Dispute with him & his Family, he went off on Horseback.

Being Interrogated:

*Prisoner.* Did I order your Horse to be put up or was I on the Bed asleep when You came in & did my Eldest Son put up your Horse?

*Ans^r* When I came into the House, Your Eldest Son awaked You & You ordered my Horse to be put up by him.

*Pris^r* How long was You at my House?

*Ans^r* From 10 oClock this afternoon.

*Pris^r* Did not You, when You came to my House, propose to me to get a hollow Staff to carry the Names to Lord Howe?

*Ans^r* No.

*Pris^r* Did you talk of the hollow Staff before or after I Gave you the Recommendation to Captain Ailesworth?

*Answer.* After.

*Pris^r* Did I not hold the Recommendation in my hand, till I asked You whether You would return to my House the next Day?

*Ans^r* You held It in your Hands till I promised to burn It or see It burnt.

*Pris^r* Did You not ask me whether I knew any persons at New Britain?

*Ans^r* I do not remember, I think You told me That you knew but one Man there & You said he was a Good Friend to Government.

*Judge Adv.* As you seem to have acted a Double Part with these Tories, pray inform the Court, by whom you were advised to such Conduct?

*Ans^r* By Colonel Whiting & Major Douglass.

*J. Adv.* Was You ever in the Service of the United Colonies or United States? If so, where & when & are you still in pay from the United States?

*Ans^r* I was a Lieut in the service of the United Colonies in 1775 & was wounded in the Battle of Lexington on the 19^th April 1775, whereby I lost my Right Leg & am still on Half Pay from the United States.

*J. Adv.* What did you mean in your Conversation with the Prisoner & others, by the Term Friends to Government?

*Ans^r* It was understood by us, that Friends to Government, meant all those who would oppose all acts & Resolutions of Congress or of any Committees or others, deriving authority from the Continental Congress.

*J. Adv.* Was you to receive Pay for Your Services in making these Discoveries?

*Ans.* No, I did it with a view of serving my Country.

*J. Adv.* Did the Prisoner desire You to burn the Recommendation he gave You to Ailesworth?

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*Ans.* He desired me to burn It or see it burnt.
The Court adjourned till Saturday Morning 9 OClock.

Saturday May 24th

The Court met pursuant to adjournment.
Present as before.
The Court adjourned this cause till Tuesday 27th instant at 9 Oclock.

Tuesday May 27th

The Court met pursuant to adjournment.
Present as before.
The Court adjourned this Cause till Friday 30th May at 9 OClock.

The Court met pursuant to adjournment.
Present as before, Except Major Mitchell.
The Judge Advocate proceeded to the Examination of further Evidenee against the Prisoner.
Capt John Beebe Chairman of the Committee of Kings District being sworn says That he has known the Prisoner about a year; That his Conduct has appeared unfriendly to the United States; That he is Generally reputed to be disaffected; That he has been confined & sent prisoner to Connecticut last Summer & that he returned Some Time last Winter.
*Pris*r Do You know of my being Guilty of any Thing injurious to the Country since my Return?
*Ans*r Not that I know of.
Capt Philip Frisbie being sworn Says that he has seen the Prisoner before the Controversy happened between Great Britain & America but never was acquainted with him till about a Year Since, when he was taken up as being a person unfriendly to the Country; That his General Character was that of a Person unfriendly to America; That in the Spring of 1776, the Prisoner confessed he had taken the names of several Persons to send to Lord Howe; That Capt Ailesworth & Doctor Tidmarsh were reputed to be Tories.
*Pris*r Did I keep any other Company, than with Capt Ailesworth & Doctor Tidmarsh?
*Ans*r Not that I know of.
The Judge Advocate thereupon produced in Evidence a paper, purporting to be the Recommendation of Edward Davis, by the Prisoner, to Capt. Ailesworth, in the words following:—

"Capt Ailesworth Sr—the Barer hereof I take to be a Friend that you may discourse freely & not be afraid. this from Yours ISRAEL OSBORN."

*Judge Adv.* Did the prisoner ever confess, the Paper now read to be his Recommendation of Edward Davis to Capt. Ailesworth?
*Ans.* He did.
The Judge Advocate having no further evidence to offer against the Prisoner, and the Prisoner having no Evidence to offer in his Defence, The Court proceeded to the Consideration of the Evidence offered against him & are of Opinion, That he is Guilty of adhering to the King of Great Britain & others the Enemies of the State, and that he is not Guilty of the other Charges exhibited against him. The Court do therefore sentence him to suffer twelve months close Imprisonment at his own Expense.

Saturday May 31st 1777.

The Court met pursuant to adjournment.
Present as before, as also Lt Colo. Van Veghten.
Benjamin Ingraham, Asa Beebe & Moses Wooster of Kings District in the County of Albany, being Prisoners were brot before the Court & charged as follows, viz:—You Benjamin Ingraham, Asa Beebe & Moses Wooster stand charged That You, being Members of the State of New York protected by the Laws thereof

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& owing allegiance thereto, on the sixth Day of May instant & at divers other Days & Times both before & after & since the 16th Day of July, 1776, at Kings District in the County of Albany, Did wickedly, traiterously & treasonably contrary to your allegiance aforesaid, adhere to the King of Great Britain and others the Enemies of the said State within the same contrary to the Resolutions of the Convention of the said State.

The Prisoners Severally pleaded not Guilty.

The Judge Advocate thereupon produced in Evidence to the Court these papers purporting to be the Examination of the Prisoners signed by their own Hands in the words following, viz:—

The Examination of Benjamin Ingraham who saith he thinks he now owes allegiance to the King & Crown of Great Britain

*Q.* Have you sworn allegiance to the Crown of Great Britain?

*A.* Yes, I was sworn a great many years ago.

*Q.* Be you holden by your former oath to Britain?

*A.* Yes, for what little interest I have, has been protected by them.

*Q.* Then is it not your duty to promote the Interest of Britain?

*A.* Yes.

*Q.* Is it your determination to do Your Duty in all respects according to the Dictates of your Conscience?

*A.* Yes. BENJN. INGRAHAM.

This taken 6th May 1777 before

JOHN BEEBE, Chairman.

The Examination of Asa Beebe taken 6th May 1777.

*Q.* Do you owe allegiance to the King of Great Britain?

*A.* Yes.

*Q.* Have you Sworn Allegiance to the King, &c?

*A.* Yes, Some Years ago.

*Q.* Are you now holden to the Oath of Allegiance you took so long ago?

*A.* Yes.

*Q.* Is it your Duty to promote the Interest of the Crown & defend the King of Great Britain?

*A.* Yes.

*Q.* Are you determined so to do?

*A.* Yes. ASA BEEBE.

Examined before

JOHN BEEBE Chairman of the Comtᵉ S. District.

The examination of Moses Wooster taken 7th May 1777.

*Q.* Do you owe allegiance to the King & Crown of Great Britain?

*A.* Yes I do.

*Q.* Have you sworn allegiance to the King, &c?

*A.* Yes before the Contest between Britain & America begun.

*Q.* Are you holden to the oath of allegiance you took so long ago?

*A.* Yes I take It that I be.

*Q.* Is it your Duty to promote the Interests of the Crown & Defend the King of Great Britain?

*A.* Yes as far as I am able.

*Q.* Are you determined So to do?

*A.* Yes when I am call'd upon.

Examined Before MOSES WOOSTER.

JOHN BEEBE Chairman.

Which Papers being read & produced to the Prisoners they severally acknowledged in Court to be their Confessions.

The Judge Advocate having no farther Evidence to offer & the prisoners having

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nothing to say in their Defence, The Court are of opinion that they are Guilty of the Charge exhibited against them and Do Sentence That Benjamin Ingraham Suffer Six Months Imprisonment & that Asa Beebe & Moses Wooster Suffer three Months Imprisonment & that they remain imprisoned until they take the Oath of Allegiance to the State of New York.

The Proceedings of the Court being read, Ordered that the Same be signed by the President & delivered to General Ten Broeck, to be transmitted to the Council of Safety. STEPHEN J. SCHUYLER, *Presi*[d]

By order of the Court,

RICHD. VARICK, Judge Advocate.

[Miscel. Pap. 37: 149.]

At a General Court Martial of Officers of Militia held at Albany in the State of New York on the twenty first day of May 1777 Continued by adjournment to the 2[d] June By order of his Honor Brigadier General Ten Broeck agreable to the Resolutions of the Convention of the State of New York passed on the 9[th] May 1777.

*Present:* Colonel STEPHEN J. SCHUYLER, President.

Colonel Jacobus Van Schoonhoven,
William B. Whiting,
Lieut. Col[s] Philip B. Schuyler,
John H. Beekman,
Henry K. Van Renseler,
Cornelius Van Veghten,
Majors Abraham Cuyler,
Floras Banker,
Andrew Mitchell,
John Van Renseler,
Capts Andrew Douw,
Caleb Bently, *Members.*

Lieu[t] Col Richard Varick, Judge Advocate.

The Court adjourned till Tuesday Morning 3[d] June 9 O Clock.

Tuesday 3[d] June.

The Court met pursuant to adj[t]

Present as before, also Colonels Van Bergen, Vrooman, Major Goes, Captains Bleecker & Bentley.

Colonel Peter Van Ness also came into Court and was sworn as a Member.

The Court adjourned till Wednesday Morning 9 O Clock.

The Court Met pursuant to adjour[t]

Present as before.

The Court adjourned till Thursday Morning 5[th] June 9 O Clock.

Thursday 5[th] June.

The Court met pursuant to adjournment.

Present as before, Except Capt Othout gone home with leave & Col Gordon returned to take his seat.

By Order of his Hon Maj Gen[l] Schuyler yesterday Cap[t] Stephen Lush is appointed Judge Advocate in the place of Lieut Col Varick whose business required his attendence at Ticonderoga.

Judge Advocate Sworn.

Jesse Bullis of Kings District in County of Albany being a Prisoner was brought before the Court & the Judge Adv[t] Exhibited the following Charge against him Vizt.

"You, Jesse Bullis, stand charged for that you being a member of the State of New York residing within said State, protected by the Laws thereof & owing allegiance thereto, did on the 21[st] Jan[y] last & at divers other days & times both before & after and since the 16[th] Day of July 1776 at Kings district in the County of Albany, Wickedly, traiterously & Treasonably & contrary to your allegiance aforesaid, Levy war against the state of New York within the same, whilst owing allegiance thereto, did enlist yourself in the service of the King of Great Britain within the same, did enlist men in the service of the said King within said State,

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was adherent to the said King and other Enemys of the said State of New York Contrary to the Resolutions of the Convention of the said State of New York whilst you did owe allegiance & derive Protection from the said State."

The Prisoner pleads not guilty.

Ebenezer French of New Britian Kings district County of Albany being sworn Deposeth and saith that some time last winter in January or February the Deponant saw the prisoner at New Labanon at the House of Robert Bullis Brother to the Prisoner. The prisoner asked the Deponant which way he was traveling, prisoner answered he was traveling a Different way from him, that the Prisoners Brother required him the prisoner to stay to Brakfast, that the Prisoner answered he could not stay, that he had a great deal of buisness to do. When the Deponent left the House he proceeded on his Journey & had gone a little distance saw the prisoner coming after him on Horseback without a hat. When the prisoner overtook the Deponant the prisoner said Mr. French I want to talk with you a little but I dont know whether I ought to do it, I have been advised to the contrary. The Deponent answered that if he had anything of a private, secret nature to inform him of that he had best not devulge it to him, that he was a talking man. The prisoner replied that he believed he would tell him. The prisoner then asked the Deponent if none of his Boys did not want to make themselves, Deponent asked him how, that the prisoner answered him by engaging in the service of the King of Great Britain and further said that if the Deponents Sons would Engage they should each have a suit of Cloths & ninepence stearling per day and further said that after Britian had Conqured America each Regiment was to have a piece of Land of six miles square of the Conqured Country and his opinion was that America would be Conqured in a short time, That the prisoner further said he had been riding almost as much as a Post & that since the Monday preceding the day on which this Discourse passed he (the prisoner) had enlisted ten men in the service of the King of Great Britain & that he had Engaged four of them the Evening preceding at the House of his (the prisoners) Brother Robert Bullis & the rest at John W. Schemehorn at Philips Tavern in the Manor of Renselaerwyck; that the prisoner further told the Deponant that if his Boys would Engage he would be glad if the Deponant would Convey them to his (the Prisoners) House within two days from the time that this discourse passed betwixt the Deponent and the prisoner for that he the prisoner was going off to New York with six slays at that time. The Deponent asked him why he was going to New York, that the prisoner answered he was going to New York to keep Garrison there, that he did not intend to Come out & fight in the Country but he was to be stationed at New York. The Deponant asked him what Commission he the Prisoner was to have for Enlisting those men, the Prisoner answered with reluctance that he was to have a Lieutenants Commission as the Deponent understood in the service of the King of Great Britian. That the prisoner further informed the Deponent that Numbers were engaged in diferent parts of America to join the British Army, some from Rhode Island and seven or Eight hundred as the Deponent thinks from Connecticut but is not certain that some hundreds were mentioned.

*J. Adv.* Did the Prisoner say nothing to you about Lord How's Proclamation?

*Answer.* Yes, that the prisoner informed him that Lord How had issued a proclamation promising pardon to those who sho'd lay down their arms & those who did not sho'd receive some punishment but does not recollect what punishment.

*Court.* Did the prisoner Mention to you the names of the officers of the Regiment he belonged to?

*Answer.* He did not.

*J. Adv.* Did the Prisoner inform you who enlisted him & where he was enlisted?

*Answer.* No.

*J. Adv.* Did the Prisoner inform you whether he had been to New York?

*Answer.* No.

*Court.* Did The Prisoner inform you what business was doing when he rode about the country as Post?

*Answer.* He did not.

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*Court.* Did you understand what the Prisoner intended to Cary off in those slays that you mentioned?

*Answer.* I understood men were to be carried off.

*J. Adv.* Did he inform you how many Men he intended to Carry off with him?

*Answer.* No he only mentioned the Number he had engaged as mentioned in his affidavit.

*Prisoner.* What Schemehorn did you say I went to?

*Answer.* John Schemehorn.

Captain Philip Frisbee of Kings District being sworn says that he the Deponent was a Member of the District Committee some time in January last when the Prisoner was Brought before them; that the Prisoner on his Examination when Ebenezer French was produced as a witness against him and his Evidence taken, first denied the Charge in General but afterwards upon entering into particulars the prisoner confessed the whole

The affidavit of Ebenezer French as follows being handed to Capt Frisbee he says this to the best of his knowledge was the Examination of Ebenezer French before the District Committee.

The information of Ebenezer French taken 22d Jany 1777 who saith that yesterday in the forepart of the day being at the house of Robert Bullis in New Lebanon where was Jesse Bullis who after some Discourse with his Brother Robert about the poorness of Horse said he rode more than a Post, he had been twice to Kenderhook this week Afterwards this informer saith he Rode away towards the Springs and some distance from the House he looked back & saw said Jesse Bullis on horseback without a hat and coming after him and soon overtook him and rode in his company near a mile; after some Discourse said Jesse asked him if his sons did not want to make themselves; this informer said how shall that be; said Jesse told him he had got listing orders for the King and was a Lieut in that service and every soldier was to have a suit of clothes & nine pence per day sterling and every Regiment when the King had Conqured was to have six mile square of Land; he also said How had issued a proclamation that all that would lay down their Arms before the 28th of this month should be pardoned but all the rest should be hanged; also that within a fortnight there will be the bigest alarm that ever has been since this dispute began for the Regulars were Determined to drive through the Country; Also said he had been a great Deal about the Country & that there was more for the King than what he thinks, for 800 had gone from Connecticut & a great number from Rhode Island & other parts of the Country also said he had listed since yesterday which was Monday Morning, 9 or 15, said informer dont remember which but said that said Jesse told him he Enlisted a number at Schamerhorns & four at his Brother Roberts & that on Thursday night he was going off with six slays & was to keep Garrison at New York. EBENEZER FRENCH.

Sworn before

JOHN BEEBEE, Chairman.

Capt Frisbee further says that Ebenezer French on his Examination said that the Prisoner had threatened him with death if he discovered what he had intrusted him; that the prisoner said French was mistaken for that he had said that if French discovered what he (the prisoner) had intrusted him he (the prisoner) might expect Death. That the Committee then asked the prisoner the following questions & received the answers annexed to them.

The Examination of Jesse Bullis taken the 24th Jany 1777.

*Qr* Is Mr Frenches information true?

*Answer.* Yes.

*Qr* Have you Enlisted any for the King?

*Ansr* No but have engaged a number to enlist.

*Qr* Have you engaged any in this district?

*Ansr* Yes four.

*Qr* Where is your Col?

*Ansr* In New York in the Militia among the Tories as you call them.

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*Q*ⁿ Who and where is your Capt & other officers?
*Ans*ʳ I shant tell.
*Q*ⁿ How many have you Engaged?
*Ans*ʳ Can't tell my part was 25.
*Q*ⁿ How long is it since you Engaged?
*Ans*ʳ Just about 5 weeks.

JOHN BEEBE *Chairman.*

*J. Adv.* What is the character of the Prisoner?
*Ans*ʳ That he has been buisy about the Country against the American states that he has been present where Lord Howe proclamation was read and is called an Enemy to the Country.
*J. Adv.* What is the character of Ebenezer French?
*Ans*ʳ That he sustains the character of an honest man and a friend to his Country.

The Prisoner in his defence says that the witnesses are strangers to him, that he formaly resided in the nine partners in Duttchess County, that he has resided in Kings Destrict since April 1775; that he has never been an Enemy to his Country or Enlisted Men in the service of the King of Great Britain; That a man in Captain Turners Company desired the prisoner to pretend to be a Tory and endeavored by that means to find out the Enemys of his Country; that in pursuance of that plan he sounded French; that Capt Turner also requested the prisoner to pursue that plan. That he never had enlisted any men in the service of the King of Great Britain; that he never had any orders for that purpose & was never at the city of New York; that when we fought to oppose the King of Great Britain & his opposing acts that he was willing to venture his life in the Despute, but since the Declaration of Indepency he was resolved not to fight with us; that he has paid money to levy men to fight for the Country and has lent money to others for the same purpose previous to the Declaration of Indepency; that he has nothing to say against the Questions and Answers before the destrict Committee herein mentioned but that he was much frightened when he was before said Committee & previous to his Examination before he was in the room with the Committee had a fixed Bayonet at his Breast so he was not sensible what he said.

The Court are of opinion that Jesse Bullis is not guilty of the first and second charges & guilty of having enlisted men in the service of the King of Great Britain And also of being adherent to the said King within the State of New York and whilst owing allegiance to the said state and Deriving protection from the same. He was sentenced to be branded in the hand immediatly after this sentence shall be approved of, And further that he be imprisoned during the present War.

The Court then adjourned until tomorrow morning 9 O Clock.

Friday June 6th

The Court met pursuant to adjournment.
Present as before.

By order of Brigadier General Ten Broeck of this day John N Bleecker is appointed Judge Advocate in stead of Capt Stephen Lush who is ordered to join his Regiment as paymaster.

The Judge Advocate sworn For want of Evidence against several persons confined for different crimes the Court adjourned untill to morrow morning 8 O Clock.

Saturday, 7th June 1777.

The Court met pursuant to adjournment.

*Present:* Colonel Stephen J. Schuyler, President.

Colonel Anthony Van Bergen,
Jacobus Van Schoonhoven,
Peter Vroman,
Lieutᵗ Colonel Philip P. Schuyler,
John H. Beekman,
Henry K. Van Rensclaer,
Cornelius Van Veghten,
Majors Abraham Cuyler,
Floras Bancker,
Jacob Ford,
Andrew Mitchel,
John Van Renselaer,
Captain Andrew Douw, *Members.*



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The Court for want of sufficient Evidence against several Persons confined in the Goal adjourned untill Tuesday the 10th June 9 O Clock A M.

Tuesday the 10th June 1777.

The Court Met pursuant to adjournment.

*Present:* Colonel STEPHEN J. SCHUYLER, President.

Colonels Anthony Van Bergen,
Jacobus Van Schoonhoven,
Peter Vrooman,
Peter Van Ness,
Lieut. Colⁿ Philip P. Schuyler,
John H. Beekman,
Lieut. Colⁿ Henry K. Van Renselaer
James Gordon,
Cornelius Van Veghten,
Majors Abraham Cuyler,
Isaac Goes,
Captain Andrew Douw.

Jacob Miller of Half Moon District in the County of Albany, being a Prisoner was brought before the Court & the Judge Advocate Exhibited the following charges against him Vizt

"You Jacob Miller stand charged for that you being a member of the state of New York, residing within the said state, protected by the Laws thereof & owing allegiance thereunto, on the 21st Day of March last and at Divers other days and Times both before & after and since the 16th Day of July 1776 at the District of Half Moon in the County of Albany, Wickedly, Traiterously & Treasonably & Contrary to your allegiance aforesaid Did levy war against the state of New York within the same whilst owing allegiance thereto, Enlist men for the service of the King of Great Britain now in actual war against the said state and being adherent to the said King of Great Britain & others the Enemys of the said state Contrary to the Resolution of the Convention of said state."

The Prisoner pleads not Guilty to the Charges.

The Judge Advocate thereupon proceeded to offer the following Evidence.

Peter Waldron being sworn deposeth and saith that some time in March last Captain Jeremiah Vincent directed the Deponant to go to Jacob Millers the prisoner where he would find the Proclamation of Lord & General Howe. When he came to the Prisoners he had the said Proclamation read to him by the prisoner who offered him an Oath which oath he took and to the best of his knowledge was in purport That he was not to take up arms against the King of Great Britain or to persuade others so to do, that he was to remain quiet at his home. Further says that he was directed by prisoner after he had taken the said oath to do his duty in the Malitia as he had done at other times till such times as the Regulars should Come in the Country when he was to remain neuter to save his estate his own life & families. That he saw the prisoner have a printed paper in which were mentioned several letters which he supposed to be the first letters of persons names, that he also saw the prisoner have a list of Different persons names who had taken the same oath with himself, but he dose not recollect any particular name on the said List; that said List was about the bigness of half a sheet of Common writing paper, that he understood by Capt Jeremiah Vincent that the prisoner was to be an agent to the King of Great Britain, that the prisoner informed the deponent that all those who had taken the oath above mentioned by any of the officers of the King of Great Britian were to have a protection. That the prisoner told him the Deponant he was to be one of the officers. That the Prisoner was in person to procure a protection for Every one who had taken the oath from Capt. McCalpin & was to bring it himself to all those who had so taken the oath. That the Prisoner said if the Country should Conquer & find a protection with you they Dare not hang you. That they were a parcel of Damned Rebbles.

*J. Adv.* Did you hear who was to be Colonel of the Regiment intended to be raised?

*Ansr* I do not remember to have heard any one mentioned as Colonel.

*Court.* Do you know who was to be the other officers?

*Ansr* I do not, on recolection he remembers That the prisoner informed him that Capt McAlpine was to be an officer for the King of Great Britain.

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*Court.* What did you understand from the prisoner you was to do in case the British troops should come in the country?

*Ans*$^{r}$ I do not recollect that he said any thing on that head.

*J. Adv.* What rank was the prisoner to have?

*Ans*$^{r}$ I do not know what rank the prisoner was to have but he informed me he was to be an officer in the service of the King of Great Britain.

*Pris*$^{r}$ Do you not remember that I told you that you was to be as good a Whig as ever and to go all trainings?

*Ans*$^{r}$ Yes you did.

*Pris*$^{r}$ Did I Ever tell you that I had Enlisted men or that I was to be an officer?

*Ans*$^{r}$ I do not remember that you Ever told me you had inlisted men but remember very well that you told me you was to be an officer.

*Pris*$^{r}$ Did I ever persuade you to swear?

*Ans*$^{r}$ No you never persuaded me to swear.

*Pris*$^{r}$ Did not I tell you that our being sworn was with a view to save our estates?

*Ans*$^{r}$ Yes you did tell me it was with a view to save our estates.

*Pris*$^{r}$ Did you ever hear me say that I was to hurt the Country in any shape?

*Ans*$^{r}$ He understood that the prisoner was to assist the King of Great Britain or any of the Enemys of the State when he was called upon and use his endeavours in favor of the said King in all cases.

Joshua Pemerton being sworn deposeth and saith that the Prisoner swore him not to take up arms against King George the third nor encourage others to do it. That at the time the Prisoner administered the said oath he informed the Deponent that the Indians and Regulars was to come down by the way of Jesups patent to destroy them. That they would be all destroyed without they had something to show to prove their Loyalty. That the Prisoner informed him they were to procure a certificate of protection from M$^{c}$Calpin which certificate was to be shewn to the Regulars when they came in the Country in Case they should attempt to destroy their effects. That the Prisoner informed him he would procure a protection or Certificate for him the Deponent from M$^{c}$Calpin and deliver it into his the Deponents Costody. that some time after the Deponent asked the prisoner when he expected the army down. the Prisoner ans$^{d}$ he did not expect an army Down but from below. that he the Deponant then asked the Prisoner how he came to inform him some time before that the Regulars & Indians were to Come down by the way of Jesups Patent. That the Prisoner answered it is not them I Expect but the army from below. That at another time after this Conversation the Prisoner requested him to sign his name to a piece of paper which he the prisoner read over. That all he can remember of the Contents of said paper was that those who signed it was to serve as a Malitia not as Militery.

*J. Adv.* Did the Prisoner inform you that he was to be an officer in the service of the King of Great Britain?

*Ans*$^{r}$ No he did not.

*J. Adv.* Did you not think that the Prisoner was to be an officer when he requested you to sign a paper?

*Ans*$^{r}$ No I did not think he was to be an officer.

*J. Adv.* Did not the prisoner inform you that you was to be ready to assist the Regulars in case they Came Down or up the Country?

*Ans*$^{r}$ No he did not.

*J. Adv.* Did you not judge that the paper showed to you by the Prisoner Contained the names of persons enlisted by the Prisoner into the service of the King of Great Britain?

*Ans*$^{r}$ No I do not think that paper contained any names of persons enlisted.

*Court.* Did not you ask the Prisoner from whom he had his authority to swear people?

*Ans*$^{r}$ Yes he told me from M$^{c}$Calpin.

*Court.* Did the Prisoner read General Howes Proclamation to you?

*Ans*$^{r}$ He did.

*Court.* Did you sign the paper which the prisoner showed you?

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*Ans*r I did not sign it.

*Court.* Did the prisoner assign any reason why he altered his opinion of the Enemys comeing from above & afterwards said they Came from below?

*Ans*r He did not assign any reason for altering his opinion.

*Court.* Did the Prisoner read a paper to you which he offered you to sign?

*Ans*r. Yes he did.

*Court.* Did you think the paper read to you as before mentioned was the enlisting instructions?

*Ans*r Yes.

*Court.* What reasons had you for not signing the paper?

*Ans*r Because I conceived it to be the enlisting instructions?

*J. Adv.* Do you remember the date of the Proclamation you heard the Prisoner read?

*Ans*r I do not recolect the date.

*Court.* Did the prisoner tell you for what purpose he requested persons to sign the paper above mentioned.

*Ans*r Yes the Prisoner told me that the paper was to be a testamony in favor of those who signed it by which they were to be Deemed loyal subjects.

*Prisoner.* Did you not hear me say that Captain Vincent had enlisting orders and that I dissuaded him Capt Vincent from enlisting Men but advised him to take our method & come under protection as we had done by Lord & General Howes Proclamation?

*Ans*r Yes.

*Pris*r Did you ever hear me say that I was to have a Commission to act against the Continental forces?

*Ans*r I never heard you say any thing of the kind.

The Court adjourned untill to morrow morning 8 O Clock.

Wednesday 11th June.

The Court met pursuant to adjournment.

Present as before.

Jacob Miller being again brought before the Court the Judge Advocate proceeded to offer the following Evidence:

John Barclay Esqr being sworn deposeth and saith that on or about the 5th June Instant Jacob Miller the Prisoner being Examined before the Committee of Albany said on being asked how many men he had enlisted into the service of the King of Great Britain, one or two. That a member of the Committee said you have enlisted 50 or 60. That the Prisoner answered not so many but I have listed a good many.

*Pris*r Did I say enlisted or sworn?

*Ans*r I understood you to say enlisted.

John Ten Broeck Esqr being sworn Deposeth & saith that he was in the Committee the 5th Instant when he heard the prisoner say he had sworn people to secrecy & to bear allegiance to the King of Great Britain. That the question was asked him by a member of the Committee whether he the Prisoner had enlisted any men—that the prisoner said he had.

*Pris.* Do you remember whether I said I had sworn any men?

*Ans*r Yes I understood you had sworn men to be true to the King.

Abraham J Yates being sworn Deposeth that on or about the 5th Instant he was present when the Committee Examined the prisoner, who Confessed that he had sworn men to be true to the King of Great Britain. That a member of the Committee asked the prisoner did you not enlist 60 men. That the Prisoner answered no, but a good many.

*Pris*r Did you understand me that I said enlisting men or that I said sworn?

*Ans*r I understood you said you sworn men & enlisted men.

The Court adjourned untill to morrow morning 8 O Clock.

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Thursday 12th June.

The Court met pursuant to adjournment.

Present as before.

Jacob Miller being again brought before the Court the Judge advocate proceeded to offer the following Evidence:

Gerardus Clute being sworn Deposeth & saith that on or about the 5th June Instant he was present at the General Committee when the prisoner was Examined, where the Prisoner Confessed he had sworn several men, among whom was Peter Waldron & Joshua Pemerton that the next morning he went to the Goal in order to ask the prisoner whether he would inform him the Deponant of any other persons names which he had sworn. That the Prisoner made an answer he did not Choose to discover any more persons who he had sworn since it appears to me that I have little mercy to Expect (or some words to this purpose).

*J. Adv.* Did you ever hear the prisoner say that he had enlisted men for the service of the King of Great Britain?

*Ans*r No, I never did.

*Court.* Did you hear any member of the Committee ask the Prisoner on his Examination whether he had enlisted men?

*Ans*r I heard a member ask him that Question and the Prisoners answer was that he had only sworn men.

*Pris*r Did you ever know whether I was looked upon in the Neighborhood where I lived to be an honest or Dishonest man?

*Ans*r You was always looked upon to be an honest man in respect to your dealings.

Ezekial Tayler being sworn Deposeth & saith, that the Prisoner informed him on or about the 5th Instant as he the Deponant had him in Custody to Carry him to Goal that he had been led into this trouble by one Frazer. That the prisoner also said he had been to McCalpins where he had obtained a protection and he thinks the Prisoner said he had also received a Proclamation by the way of Frazer; that the Prisoner said he had procured the said protection with a view to his safety. That he was frighten as it was reported the Regulars were to be in the Country in a short time but that they were deceived in their Expectations. That he heard the prisoner say when he was Examined in the Committee that he had sworn two men Vizt one Waldron & the other he does not recolect.

*J. Adv.* Did the prisoner tell you for what purpose he had sworn the two men you allude to?

*Ans*r He did not tell me for what purpose he swore them.

*J. Adv.* Did the prisoner ever tell you he was then or was to be an officer in the British service?

*Ans*r No, he did not tell me.

*Pris*r What was my General Character in the Country?

*Ans*r I have known you many years when you sustained the Character of an honest man.

Mathew Vissher Deposeth & saith that on or about the 5th June he was present in the General Committee when the prisoner was Examined; that one of the members asked the prisoner how many men he had enlisted; that the Prisoner seemed at a stand; that another member then asked the Prisoner how many he had sworn to secrecy; that the Prisoner did not make a direct reply but a member from Half Moon District said about 50 or 60; that the Prisoner agreed it was so. That the Deponant then asked the prisoner how many have you sworn to be true to the King? that the Prisoner replyed not so many as he had sworn to secrecy; that the Deponant also asked the Prisoner from whom he had his instructions; the Prisr replyed from McCalpin who had also given him a Certificate which he had Destroyed.

*Pris*r Do you remember whether I said I had sworn men or enlisted men?

*Ans*r You seemed in your Answers to the Committee to say you had sworn men.

The Prisoner in his defence acknowledges he has sworn men to secrecy but he Never enlisted any men. That he endeavoured to procure a protection with a View to save his effects. That he had at all times behaved himself as a good and faith-

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full friend to the Country till the late unhappy affair which he was led into by the instigation of artfull & designing men. That he is sincerely sorry for the part he has acted. That he is willing at all times to step forth in Defence of the Country, hopes the Court will take his Case into Due Consideration and Extend Marcy to him if in their powēr.

The Judge Advocate having gone through his Evidence & the Prisoner having no further Evidence to offer in his Defence The Court proceeded to The Consideration of the Evidences which has appeared against him are of opinion that he is not guilty of Levying war & enlisting of men into the service of the King of Great Britain but that he is guilty of adhering to the King of Great Britain. The Court do therefore sentence him to pay a fine of one hundred Dollars & suffer imprisonment for the space of six months.

Also came into Court to take their seats, Colonel William B. Whiting, Majors Floras Banker, Andrew Mitchel, John Van Renselaer, Capt. Caleb Bentley.

Robert Coventry of Clavarack District in the County of Albany being a Prisoner was Brought before the Court and the Judge Advocate Exhibited the following Charges against him Viz^t

You Robert Coventry stand charged for that you being a member of the State of New York residing within the said state, protected by the Laws thereof and owing allegiance thereto, on or about the 1^st Day of April last and at divers other Days & Times both before & after and since the 16^th Day of July 1776 at the Destrict of Claverack in the County of Albany and at divers other places in said County Wickedly, traiterously & Treasonably and Contrary to your allegiance aforesaid did Levy war against the said state whilst owing allegiance thereto, Enlist Men for the service of the King of Great Britain now and then in actual war against the said state within the same, being adherent to the said King of Great Britain by disarming a Guard in the service of the state & Compelling said Guard to take an oath of allegiance to said King of Great Britain then & now in open war against the said state, Contrary to the Resolutions of the Convention of the said state.

The Prisoner pleads not Guilty.

John Rogers of the City of Albany being sworn Deposeth and saith that some time in April last he was at the house of the Prisoner who informed him that Rulph Van Derkerr had sworn him (the Prisoner) to secrecy, had led him into the knowledge of having enlisted men for the service of the King, that the Prisoner told him he could tell him something but that he must first swear him the Deponent to secrecy; that he took the oath of secrecy which oath the Prisoner administered to him and to the best of his memory is in the words following Vizt

"I John Rogers do swear to keep secret all that you shall say or read to me and not to reveal the same to Blood Relations or any person whatsoever, so help me God."

That after he had taken the said oath the Prisoner told this Deponant he was to be ready to join the Regulars or Indians in case they was to come in the Country. That the Prisoner informed him that a Battallion was to be raised in the County of Albany to be commanded by Colonel Hueston, That the Prisoner informed him he had the promise of Enlisting instructions from Colonel Hueston, That three or four days after he met again with the Prisoner when he brought enlisting instructions from one Frederick Williams & showed them to the Prisoner, that after this he give the said instructions to the Prisoner, That some time after he met with the Prisoner when the Prisoner read the inlisting instructions which he had given him, That the Prisoner told the Deponant as soon as the Regiment or Battallion before mentioned was full they was to be ready to join the Regulars, That they, meaning the men of the Regiment, was to attempt to release the Prisoners from the Goal in Albany and to take possession of the Powder Magazine there, that after this was accomplished they were to keep possession of the City of Albany, that after Hueston & the Prisoners in Goal were released the affairs were to be left to the management of said Hueston & others, That the Prisoner told him the Deponent that he the prisoner Could not be ready to go to attack the Magazine & Goal at Albany at the time appointed by Rulph Van Der Kerr, That they did not succeed

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in their intended attempt upon the City of Albany, That they had a meeting some time after at Harpers Field where were present himself, the Prisoner, Frederick Williams, Edward Coventry, Evert De Wit & one Carrigan, That there were also a number of Scotch people at said meeting, That after the above mentioned meeting he the Prisoner & several others to wit Lawrence Leadius, Christian Platto, Jocham Huyck, John Moor & others whoes names he Cannot recollect went to the House of David Hogeteling where he the Prisoner & others found a Gaurd of the Malitia in the service of the State who the Prisoner himself & others took Prisoner, that after the said Gaurd was taken the prisoner went into another room, that one Leadings, the prisoner and the rest of their party Compelled the party or Guard which they took to take the oath of allegiance to the King of Great Britain, That after the Prisoner the Deponant & others permitted the said Gaurd to go to their respective homes having first disarmed them, That the Prisoner and the rest of their party intended to go and take the Committee setting at Teunis Slingerlands but that they heard the committee Gaurd was to strong.

*J. Adv.* Did you hear the Prisoner say what rank he was to have in the Regiment intended to be raised?

*Ans^r* Yes he informed me had the offer of an Ensigns Commission in Rulph Van Der Kerr's Company but would not accept said Commission under said Van Der Kerr.

*J. Adv.* Did the Prisoner inform you he had instructions from James Hueston to enlist men for the service of the King of Great Britain?

*Ans^r* No I never heard him say any thing on that head.

*J. Adv.* Did the Prisoner inform you that he had enlisted men into the service of Great Britain?

*Ans^r* No.

*J. Adv.* Did the Prisoner ask you to swear another oath besides the oath of secrecy?

*Ans^r* No.

*Court.* Did the Prisoner ever read the enlisting instructions to you?

*Ans^r* Yes.

*J. Adv.* Did the Prisoner tell you from whom he had them instructions?

*Ans^r* Yes it was the instructions which I had brought to him from Frederick Williams.

*Court.* Did the Prisoner ever tell you the reason why he would not accept of the Commission under Rulph Van Der Kerr?

*Ans^r* Yes if the Regiment should be formed under Col Hueston then he the Prisoner would beet up for Volunteers.

*Court.* Was the Prisoner armed when you & him took the Gaurd?

*Ans^r* Yes he was armed.

*Court.* Did not the Prisoner present a gun at one of the Gaurds after the Gaurd were prisoners?

*Ans^r* No not that I know of.

*Court.* Was the Prisoner with the party that was going to take the Committee?

*Ans^r* Yes he was.

*Court.* What was the reason you & the Prisoner &c Did not proceed to take the Committee?

*Ans^r* We understood that the Gaurd the Committee had with them was too strong.

*J. Adv.* Did you hear the Prisoner say he expected to receive pay?

*Ans^r* We all expected to be paid but I do not remember to hear the prisoner say any thing on that head.

*J. Adv.* Did the Prisoner inform you that he had taken the oath of allegiance to the King of Great Britain?

*Ans^r* No I never heard him say he had but he told me he had taken the oath of secrecy.

*J. Adv.* Did you ever hear the prisoner say that he had been to Huestons?

*Ans^r* Yes he told me he had been there often but not on affairs of the present Dispute.

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*Pris*r Did you ever hear me say that I was more concerned in Disarming the Gaurd than any of the party?

*Ans*r No I never heard you say you was.

John Stoner of Niskethau being sworn Deposeth & saith that some time in May last he went to the House of David Hogeteling in Company with the Prisoner & a number of other people all armed, where the Prisoner, the Deponent & others took prisoner a Gaurd & disarmed them. That he heard that there was a number of Prisoners at the House of Teunis Slingerland in the Costody of the Committee; that towards evening they went to one Christian Plattoo with an intention to go to said Slingerlands; that soon after they returned. That he heard that the Gaurd taken by himself the Prisoner & others had been Compelled by the Prisoner & the rest of their party to take the oath of Allegiance to the King of Great Britain but that he was not present, he being out Doors at that time.

*J. Adv.* Did you never hear that the Prisoner was to be an officer in the Regiment which was to be raised under the Command of James Hueston?

*Ans*r No, I never heard that he was to be an officer.

*J. Adv.* Did you not hear the Prisoner say when you was in the woods together that he had enlisted men in the service of the King of Great Britain?

*Ans*r No, I did not hear him say any thing on that head.

*J. Adv.* Did not the Prisoner inform You that he was one of those who compelled the Gaurd which you had disarmed to take the oath of Allegiance to the British King?

*Ans*r No, I do not recollect that he ever informed me he had been concerned.

*Court.* What had you in View to go to Slingerland?

*Ans*r We intended to release the prisoners under the Care of the Committee.

*Court.* Was you present at the disarming of the Gaurd?

*Ans*r Yes, I was present.

*J. Adv.* Was the Prisoner present at the disarming of the Gaurd?

*Ans*r Yes.

*J. Adv.* Did not you hear the Prisoner say that he had enlisted men for the service of the King of Great Britain?

*Ans*r No, I never heard him say he had.

*J. Adv.* Did not the Prisoner inform you he had instructions for enlisting men?

*Ans*r No, he did not inform me any thing of the kind.

Wouter Witbeck being sworn Deposeth & saith, that some time in May last he was in Company with the Prisoner & several other persons; that when he came to the house of David Hogeteling he found the Prisoner & several others there, who informed him that they had disarmed a Gaurd in the service of the State; that he the Prisoner & the rest of the party went soon after to the house of Christian Platto with an intention to attack the Rangers at the House of Teunis Slingerland.

*J. Adv.* Did you ever hear the Prisoner say that he was to be an officer in the service of the King of Great Britain?

*Ans*r No, I never heard him say he was to be an officer.

Peter Stoner being sworn Deposeth & saith, that some time in May last he saw the Prisoner at the House of David Hogeteling where he was informed that the Prisoner & a number of other people disarmed a Gaurd of Rangers in the service of the State.

*J. Adv.* Did you ever hear the Prisoner say that he was to be an officer in the service of Great Britain?

*Ans*r No, I never heard him say it.

Andrew Flamer being sworn Deposeth & saith, that some time in May last he was at the house of David Hogeteling where he saw the Prisoner & a number of other people all armed. that he was informed the said party had disarmed a Gaurd of Rangers.

The Prisoner in his Defence says that he was on his way coming in out of the woods to take the Oath of Allegiance prescribed in the Act of Grace issued by the Convention of the State. That he was taken before he could put his resolution in Execution of Delivering himself up in order to receive the benefit of the said Act of Grace. That he was taken in his bed at his Fathers House. That he had come

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home out of the woods the Evening before he was taken with a View to deliver himself up the next Day. That he informed the Gaurd who took him that he intended to take the benefit of the Act of Grace the next Day.

John Rogers under the same oath before taken saith, that after he & the Prisoner & the Prisoners Brother Edward Coventry had left the party who had disarmed the Guard in the service of the State they went over to Claverack where they stayd Concealed in the woods for five or six days. That the Prisoner & himself had Conversed on the subject of Delivering themselves up to take the Benefit of the Act of Grace which they had heard was out; that the Prisoner & himself had been one night at the Prisoners Fathers; that the next day they went again into the woods where he & the Prisoner remained Concealed 24 Hours; that he after this left the Prisoner who had before informed him that he intended to take the benefit of the Act of Grace. That at different times when in Conversation with the Prisoner concerning the Act of Grace they seemed to think that no such Act was come out; that it was only reported with a View to imprison those who should come in; that before they Delivered themselves up they choosed to be certain whether the Act was made Public; that from this uncertainty they remained longer concealed in the woods than they intended. That the first time they heard of the Act of Grace was from a Negro.

Court adjourned untill to-morrow morning at 8 o'clock.

Friday, 13th June.

The Court met pursuant to adjournment.

Present as before.

The Judge Advocate having no further Evidence to produce the Court proceeded to the Consideration of the Evidences offered and are of opinion that the Prisoner is Guilty of Levying war against the State & being adherent to the King of Great Britain and do sentence him to suffer death.

The Court adjourned untill to-morrow morning 8 o'clock.

Saturday, 14th June, 1777.

The Court met pursuant to adjournment.

*Present:* Colonel Stephen J. Schuyler, President.

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| Colonels Peter Van Ness, | Majors Floras Banker, |
| Jacobus Van Schoonhoven, | Isaack Goes, |
| Peter Vrooman, | Jacob Ford, |
| Lt Colonels John H. Beekman, | John Van Rensselaer, |
| Henry K. Van Rensselaer, | Captains Andrew Douw, |
| James Gordon, | Abraham Oothout, |
| Cornelius Van Veghten, | Caleb Bentley, *Members.* |

James Huetson of Lunenburgh in the County of Albany being a prisoner was brought before the Court Martial and the Judge Advocate exhibited the following charge against him, vizt:

You James Huetson stand Charged for that you being a member of the State of New York protected by the Laws thereof & owing Allegiance thereto, on or about the first day of April past & at Divers other days & Times both before & after & since the 16th Day of July 1776, at Destrict of Cooksackjie in the County, Wickedly, Traitorously, Treasonably and Contrary to your Allegiance aforesaid, Did Levy war against the said State within the same whilts owing Allegiance thereto, Enlist men for the service of the King of Great Britain now in actual war against the said State, being adherent to the said King of Great Britain & other the Enemys of the said State within the same by giving him and them Aid and Comfort, Contrary to the Resolutions of the Convention of said State.

The Prisoner pleads not Guilty to the Charges.

John Mesick being sworn Deposeth & saith that to the best of his recollection he and Rulp Van Der Kerr went to the house of the Prisoner on friday after last Easter when the Prisoner delivered him the inlisting orders. That the Prisoner told him he had the Day before given the like orders to one Peter Esselstine to the best of his memory. That after he had received the said inlisting orders or instruc-



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tions he and Rulph Van Der Kerr left the House of the Prisoner & went to the house of Frederick Williams where he & the said Rulph Van Der Kerr met Frederick Williams & Edward Coventry. That we showed the enlisting instructions to each other which each of us had, all of the same Tenor. That he believes the said Edward Coventry told him he had the same instructions as they. That the instructions which he had was of the same Tenor to the best of his Knowledge with those which were just now read to him by the Judge Advocate in the following words vizt:

"I A B do swear to keep secret all that you shall say or read to me and not reveal the same to Blood relations or any persons whatsoever so help me God."

By the Request of the Honb^le William Howe, General and Commander of his Majestys Forces in America and William Tryon Esqr Governor in and for the Province of New York and likewise by the desire of Sir John Johnston Bar^t That a Battallion of Loyal Volunteers be enlisted in the County of Albany to serve in & for the Province of New York &^c for the preservation of their lives & propertys and more Especially to shew their Loyalty and affection to his Majesty in order to assist in Restoring Public Peace and tranquillity in this destressed Country as they cannot Expect any friendship or protection from his majestys forces if they do not do their utmost Endeavours to assist his Majesty in subduing and Conquering his Rebelious subjects in order to Bring them to Condign Punishment. Therefore for the more speedy and in the most secret manner a Battallion of Loyal Volunteers be enlisted and each officer and private volunteer to take an oath to keep secret every thing that shall be Communicated to them by their superiour officers. That J. H. Esqr is chosen and appointed Colonel Commandant of said Battallion of Loyal Volunteers and each Company is at least to consist of Fifty Rank & file with one Captain one Lieutenant & one Ensign and when raised and joined his Majestys forces Each officer and private Volunteer will receive the same pay, Clothing, arms and accoutrements as any other enlisted American Volunteer and be intituled to the same Lands as any Regular soldier. The said Loyal Volunteers will be discharged with the first American Battallion.

I, A. B. do swear to be true to his Majesty King George and to serve him honestly and faithfully in Defence of his person, Crown & Dignity against all his Enemys in America or opposers whatsoever, to keep secret and to observe and obey the orders of my superiour officers that shall be issued out to me from time to time, so help me God.

That he then left the House of Frederick Williams in Company with Edward Coventry that after he came home he swore some men agreable to the inlisting instructions just now read to him.

*J. Adv.* Did you not hear the Prisoner say after he had delivered you the inlisting instructions that he was to be Colonel of the Regiment intended to be raised & that the letters J. H. in said instructions were intended for his name?

*Ans^r* Yes I heard him say that he was to be Colonel & that the letters J. H. were to signify his name.

*J. Adv.* Did the Prisoner inform you where you was to rendervouze after you had completed raising your Compliment of men?

*Ans^r* No he did not appoint a place of meeting.

*J. Adv.* What Commission was you to have under Mr. Hueston?

*Ans^r* It was left to my own Choice to be either Captain or Lieut.

*Court.* When you, Van Der Kerr, Williams & Coventry where at the House of Frederick Williams did you not show your instructions to each of them?

*Ans^r* Yes.

*Court.* Did Frederick Williams, Rulph Van De Kerr & Edward Coventry tell you they had their instructions from the Prisoner?

*Ans^r* Yes they told me they had them from the Prisoner.

*Court.* Did Frederick Williams, Rulph Van Der Kerr & Edward Coventry tell you that the letters J. H. in the inlisting instructions signified the Prisoners name?

*Ans^r* Yes when we read the paper we all took it to be James Hueston and read it in that manner.

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*Court.* Did you hear Frederick Williams, Rulph Van Der Kerr & Edward Coventry say that Mr. Huetson told them the letters J. H. signified his name?

*Ans*r Yes I heard Rulph Van Der Kerr say that Mr. Huetson the Prisoner told him that the letters J. H. mentioned in the inlisting instructions signified his name.

*Court.* Did you hear Rulph Van Der Kerr or Frederick Williams say that they had seen the instructions which Mr. Hueston had from Lord or General Howe for raising of a Regimt or Battallion in the County of Albany?

*Ans*r Yes I have heard Rulph Van Der Kerr say that he had seen the instructions in possession of the Prisoner with General Howes hand & seal to it.

*Court.* Have you ever heard Mr. Huetson say that he had his orders from General Howe or Lord Howe?

*Ans*r I never heard him say he had.

*Court.* What did Mr. Huetson say you was to do with the inlisting instructions?

*Ans*r He told me I was to swear or enlist men agreeable to the instructions.

*Court.* Did the Prisoner tell you why the letters J. H. where only mentioned in the instructions?

*Ans*r If any one found the enlisting instructions with me that they might not Discover whoes name it was.

*Pris*r How long is it since you was personally acquainted with me?

*Ans*r The first time I ever saw you was about three or four days before you delivered me the instructions.

*Pris*r Was there any body present when I gave you the instructions you mention?

*Ans*r Yes, Rulph Van Der Kerr was present.

*Pris*r Did you take both oaths mentioned in the instructions?

*Ans*r Yes, I did.

Jacob Hallenbeek being sworn Deposeth and saith that some time in March last he went to the House of the Prisoner with a Couple of sheep, That the Prisoner told him he should call another time if he had any buisness that way, That some days after he called at the House of the Prisoner who told him he had some news to tell him but could not inform him unless he would keep it a secret, that the Prisoner then administered the oath of secrecy to him which to the best of his knowledge was in the verry words just now read to him by the Court. See the oath on Page 226. That the Prisoner then told him he might go to Mr. Garnets who would give him intelligence, That the said Garnet would give him a paper with two letters for, J. H. That the Prisoner said he had heard Mr Garnet Could give him enlisting instructions, That he some time after went to the House of Mr. Garnet who seemed to know nothing about inlisting instructions. That one Connaway was present, That the said Connaway gave him a push in order to follow him, That on the stoop the said Connaway requested him to keep it a secret & not Discover him. That Conway began to read a paper to him, That after he Conway had finished reading said paper he told the Deponent it was inlisting instructions, That the said Conway Delivered the said instructions to him, That he then asked the said Conway who was to be Colonel & what the letters J. H. mentioned in the said instruction signified, That Conway replyed he might say Hueston or such other name as he pleased, That some time after he met Mr. Huetson the Prisoner at his house, that there was a large Company at Mr. Huestons so as to prevent him from having any Conversation with the Prisoner, That Just at his Departure from the Prisoner he was asked by the Prisoner how matters went on, that he replyed midling well or slowly, That he judged the Prisoner by asking him that question alluded to the enlisting men, That some time after he met Mr. Huetson the Prisoner who then informed him he had nothing to do with enlisting any men or with Conway or the letters J. H.

*J. Adv.* Did you ever hear the Prisoner *say* that he was to be Colonel of a Regiment which was to be raised in the County of Albany?

*Ans*r No, I never did.

*Court.* Did you ever tell the Prisoner you had received the inlisting instructions from Mr. Conway?

*Ans*r Yes, I believe I told him.

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*Court.* Did the Prisoner ever ask you how the enlisting went on?

*Ans*$^{r}$ No, he never asked me in those words.

Conradt A. Ten Eyck being sworn Deposeth and saith that about six weeks ago he was in the woods, that John More showed him a letter, That he asked the said More for the letter, that More would not Deliver him the letter but said he would Deliver it to one Garnet, That the contents of said letter was that they should remain quiet in the woods, That he does not know from whom the letter came, That the conclusion of said letter was God Bless you Dean, That one Connaway delivered him a paper which he requested of him to get signed by one Corn$^{s}$ Huyck & others, That he afterwards gave him also a paper which were inlisting instructions, that the two letters mentioned in said instructions were R. C., signifying the said Conways name.

*J. Adv.* Did you ever hear the Prisoner say that he was to be Colonel of the Regiment which was to be raised in the County of Albany?

*Ans*$^{r}$ I never heard him say anything of the kind.

*Court.* Was you ever acquainted with M$^{r}$ Hueston the Prisoner?

*Ans*$^{r}$ My acquaintence with the Prisoner is verry slight.

John Rogers being sworn Deposeth & saith that he heard the Prisoner had given out some inlisting orders, That he understood the Prisoner was to head the party which was to come to Albany.

*J. Adv.* Did you ever hear the Prisoner say That he was to be Colonel of the Battallion which was to be raised in the County of Albany?

*Ans*$^{r}$ No, I never did nor I never spoke a word to the Pris$^{r}$ concerning the matter.

*J. Adv.* Do you know whether the Prisoner had given out inlisting instructions & to whom he had given them?

*Ans*$^{r}$ No, I do not know it personally but I have heard it.

*Court.* How long have you been acquainted with the Pris$^{r}$?

*Ans*$^{r}$ I have never been acquainted with him. I spoke Two or Three words to him about a year ago.

*Court.* Did you ever see any of the Enlisting instructions which you understood had been given out for the Prisoner?

*Ans*$^{r}$ Yes I have.

*Court.* When you was out in the woods with a party did you not then understand that the Prisoner Mr. Huetson was to be Colonel?

*Ans*$^{r}$ Yes it was generaly talked that Mr. Hueston was to be Colonel.

*Court.* Was there some among the party who said they had inlisting instructions from Mr. Hueston?

*Ans*$^{r}$ Yes Ralph Van Der Kerr said he had inlisting instructions from Mr Huetson.

*Court.* Do you remember whether the prisoners name was in the instructions which you had from Frederick Williams?

*Ans*$^{r}$ Yes I think his name was mentioned in the said instructions.

John More being sworn Deposeth & saith that he was some time ago sent to town by a person in the woods & was directed to call on Mrs Pemberton for a letter That he did receive said letter & carried it to the person who had ordered him to go for it That the letter was not signed or Directed to any particular person.

*J. Adv.* Are you acquainted with the prisoner?

*Ans.* No I never saw him before now.

The Prisoner in his Defence says That he hopes the Court will take the matters which have appeard against him into Consideration in particular the evidence of Mr. Mesick who he says he never saw but once or twice in his life time That whether it appears reasonable to any man of Common sense that he should intrust papers of such importance into the Hands of a man he was almost a stranger to. That had he been enclined to be Concerned in the matters laid to his charge he would in that case have employed men of more address & better parts than Mr Mesick.

The Judge Advocate having no further evidence to produce and the Prisoner having no Evidence to offer in his Defence The Court proceeded to the Consideration of the Evidence offered and are of opinion That the Prisoner is guilty of Levying

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war against the State and of giving aid & comfort to the King of Great Britain & other the Enemys of the said State The Court do therefore sentence him to suffer Death.

The Court then adjourned untill Monday the 23d June Instant.

On reading the Proceedings of the Court

*Ordered* that the same be signed by the President and Delivered to General Ten Broeck to be transmitted to the Council of Safety.

ALBANY, 14th June 1777.

STEPHEN J. SCHUYLER, *Presid'*

JOHN N. BLEECKER, Judge Advt

[Miscel. Pap. 38: 127.]

A Number of the Members of the General Court Martial of Officers of Militia held at Albany in the State of New York which was adjourned from the 14 to the 23d June, met pursuant to said adjournment, but no Sufficient Number of Members appearing to hold a Court, those who appeared adjourned the Court to Tuesday the 24th June.

Tuesday, 24th June, 1777.

The Court met pursuant to adjournment.

*Present:* Colonel STEPHEN J. SCHUYLER, President.

Colonels, Peter Van Ness,
Jacobus Van Schoonhoven,
Peter Vrooman,
William B. Whiting,
Lt. Colonels, Philip P. Schuyler,
John H. Beekman,
Lt. Colonels, James Gordon,
Cornelius Van Veghten,
Majors, Abraham Cuyler,
Floras Banker,
Isaac Goes,
Captain, Andrew Douw.

No Crimes being laid before the Court Sufficient to proceed to trial against any particular prisoner Confined. The Court therefore adjourned till tomorrow morning, 9 o'clock.

Wednesday, 25th June, 1777.

The Court met pursuant to adjournment.

*Present:* Colonel STEPHEN J. SCHUYLER.

Colonels, Peter Van Ness,
Jacobus Van Schoonhoven,
Peter Vrooman,
William B. Whiting,
Lt. Colonels, Philip P. Schuyler,
John H. Beekman,
Lt. Colonels, Cornelius Van Veghten,
Majors, Abraham Cuyler,
Isaac Goes,
Captains, Andrew Douw,
Abraham Oothout,
Caleb Bently.

Andreis Huyck, of Schodack, in the County of Albany & District of the Manor of Renselaerwyck being a Prisoner was brought before the Court and the Judge Advocate Exhibited the following charge against him, Vizt:

You Andreis Huyck Stand Charged for that you being a Member of the State of New-York residing within the said State protected By the laws thereof and owing allegiance thereto, on or about the 1st of March last and at Divers other Days & Times Both before & after and Since the 16th July 1776, at the District of the Manor of Renselaerwyck in the County of Albany, Wickedly, traiterously & Treasonably & Contrary to your alligiance aforesaid, Did Levy war against the said State whilst owing allegiance thereto, Enlist men for the Service of the King of Great Britain now in actual war against the said State within the same, being adherent to the said King of Great Britain and other the Enemies of the Said State within the same by giving him and them aid and Comfort Contrary to the resolutions of the Convention of the said State.

The Prisoner pleads not guilty.

Peter Wingart of Schodack being sworn Deposeth & saith, that some time last Spring he was at the House of the Prisoner where he signed a paper which the Prisoner informed him was a proclamation of the Howes,—That the purport of said proclamation was that they should remain Still and be obedient to the King.

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*J. Adv.* Did the prisoner ask you to swear an Oath Before you Signed the paper mentioned?

*Ans*r No, he did not.

*Pris*r Did I ever Call you to Come to my House to Sign the paper you mention?

*Ans*r No, you never Did.

*Pris*r Did I ever tell you that you should take up Arms Against the Country?

*Ans*r No, you never Did.

*Pris*r Did I ever propose to you or intimate that you was inlisted by your Signing the paper?

*Ans*r No, you never did tell me any thing of that kind.

*Pris*r Did you ever hear that I went about the Country to persuade people to Sign the proclamation?

*Ans*r No, I never heard you went round the Country for that purpose.

John Jacob Miller being Sworn, Deposeth & Saith, that some time last winter the prisoner told him it was best for them to remain Still. That the prisoner then said he would send him a paper or that he might fetch it, the Contents of which paper he thinks were in the words following: "I do promise & declare that I will remain in a peaceable obedience to his Majesty and will not take up arms against nor Encourage others to take up arms in opposition to his Authority." That the Prisoner said he got a paper of the same purport of one Major Edmonston. That the Prisoner told him he was to remain Still & not take up arms against any Body.

*J. Adv.* Was not the paper delivered to you given with an intent that all those who Signed it were first to take an Oath of Allegiance to the King of Great Britain?

*Ans*r No, by no means.

*Court.* Did you not Swear the Oath of Secrecy as it is called?

*Ans*r Yes, I was Sworn by one Edward Rhine.

*J. Adv.* Did you Ever know that the Prisoner was to be an officer in the Service of the King of Great Britain?

*Ans*r No, I did not.

*Court.* Did the prisoner Ever tell you he had been with Edmonston?

*Ans*r Yes, he told me he had.

*Pris*r Don't you remember that I told you that you had better not proceed with the paper for persons to Sign it, for fear of being discovered?

*Ans*r Yes, you told me so.

Daniel Bush of Rensselaerwyck Deposeth and saith that some time in the latter part of the Winter he was in Company with the prisoner who showed him a paper which the prisoner called a Declaration. That during the time he showed me the said paper the prisoner desired him to repeat after him the words following, "to be in a peacable obedience to his Majesty." That the Prisoner informed him he had several under him in that way meaning as he supposed to Stand by his Majesty.

*J. Adv.* Did you Ever know that the prisoner had the promise of being an Officer in the Service of the King of Great Britain?

*Ans*r No I never Did.

*Court.* Did the Prisoner ever Desire you to Engage men for the Service of the King of Great Britain?

*Ans* No he never Did.

*J. Adv.* Do you know if the prisoner has inlisted or sworn any men to serve the King of Great Britain?

*Ans*r No I know nothing of the kind.

*Pris*r Did I ever ask you to Enlist in his Majestys Service?

*Ans*r No you never did ask me such a question, but I conceived myself bound when I was Called upon to assist his Majesty in Consequence of the promise I had made you to remain in peacable obedience to his Majesty.

*Pris*r Did I ever tell you that you was to receive pay?

*Ans*r No you never told me I was to receive pay.

*Pris*r Did you ever hear that I offered or promised any person any bounty to go in his Majestys service?

*Ans*r No I never heard you did.

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The Prisoner in his Defence says that he Can with a free Conscience declare that he did not mean to hurt the United States in any manner. That what he did was with a View to Save his Estate & that of his Friends.

The Judge Advocate having gone through with the Evidence & the prisoner having no evidence to offer in his defence, The Court proceeded to the Consideration of the Evidence offered, and are of opinion that he is not Guilty of Levying War & Enlisting men but that he is Guilty of adhering to the King of Great Britain & other the Enemies of the State of New York. The Court do therefore Sentence him to pay a fine of one hundred Dollars & to remain imprisoned till he pays the said fine.

The Court adjourned untill to-morrow morning at 9 o'clock.

Thursday, 26th June, 1777.

The Court met pursuant to adjournment.

Present as before, also Came into Court Colonel Van Bergen & Major Ford, & Captain Oothout absent with Leave.

The Court for want of Evidence against the prisoners in Confinement, adjourned till to-morrow morning at 9 o'clock.

Friday, 27th June, 1777.

The Court met pursuant to adjournment. Present as before.

Whereas no Evidences are produced to the Court against any person still in Confinement for having been guilty as is supposed of treasonable practices against this State, The Court have therefore with the advice and Concurrence of the Albany Committee adjourned to the 1st Day of July next.

After reading the proceedings, ordered that the same be Signed by the president, and Delivered to General Ten Broeck to be by him transmitted to the Council of Safety. STEPHEN J. SCHUYLER, *Presidt*

JOHN N. BLEECKER, Judge Advocate.

ALBANY, 27th June, 1777.

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*Certificate of Major Wheelock.*

[Miscel. Pap. 38: 6.]

These may certify to the Honorable Legislature of this State that there are now at least about seventy able bodied men, inlisted into the Companies, that I have been appointed to raise in the northeastern parts of the said State; and that but two officers under me have as yet received Commissions—as witness my hand.

JOHN WHEELOCK, *Major.*

KINGSTON, June 28, 1777.

2 blanck Commissions 1 for a Capt & 1 for a lieut. to be delivd to Mr Wheelock.

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*Petitions from Marbletown in behalf of John Stoaks.*

[Petitions, 33: 404.]

To the Honourable Council of Safty for the State of New York, Council Convened.

The Petition of us whose Names are Hereunto subscribed Inhabitants & Freeholders of the Township of Marbletown, County of Ulster & State of New York in Behalf of John Stoaks of Marbletown aforesaid a Prisoner Confined in the common Goal of Kingston, Senteneed By Court Martial for being thought an Enemy to the American States, Humbly Sheweth,

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That the Petitioners are all of them Neighbours to the said John Stoaks and have known him from a Boy and that he has always Behaved himself as an honest industrous Boy, and had never heard of anything being said to his Charge injurious to the welfare of the American cause, But alway seen him willing to do his Duty, Before the Present Mishappend. The Petitioners therefore humbly Pray that this Honourable Council would be Feavourably Pleasd & mercifully Disposed to take the primises under their most serious consideration so as that the said John Stoaks may Be relieved from his Confinement and to be permited to Return to his Former Home.

William Dick,
Garton Nottingham,
William Patteson,
John Constable,
Salommon tenwelgon,
Garret Newkark,
Myndert Newkerk,
Michael Patteson,
Benjamin Louw, Jur
Adam hofman,
David Atkins,
Cornelus Sammon,
Tobias Dubois,
Isaac Davis,
Andris Snyder,
Nathaniel Cantine,
Cornelius Brink,
Tunis Rosa,
Isaack Smith,
Richard Krum,
Hendrick Smith,
Jacob Sins,
Jacobus Rosekrans,
Robert Brink,
Moses Pattison.

MARBLETOWN, June ye 30.

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*Commander Lewis to the Council of Safety.*

[Miscel. Pap. 37: 767.]

GENr I beg leave to inform your honnours that I am by the appointment of Brigadier General putnam to supercede Capt Robert Cooke In the command of the Galley Washington and shall esteem myself happy In the oppertunity of saving my Country. Hoping I shall merit your honors favor,

I am Gentlemen your humble Servant,

ABRAHAM LEWIS,
*Master Montv & commander Galley Washington.*

FORT MONTGOMERY, June 1777.

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*Petition of Jacob Scouten and Robert Nichols.*

[Petitions, 33: 394.]

To the Honble The Council of Safety, State of New York.

The Humble Petition of Jacob Scouten and Robt Nichols now confined in Kingston Goal, Most Humbly Sheweth,

That your Petitioners are unable to Procure any Necessary Clothing &c in their confinement at such a Distance from all their conections. That your Petitioners are willing to give any satisfaction required to the Honble Council of Safety and could be of great service in the Country at this season of the year, which requires the particular attention of every industrious farmer. That your Petitioners desire sincerely to return to their duty and families and behave unexceptionably. This request granted shall as in Duty bound ever Pray &c

JACOB SCOUTEN,
ROBT NICHOLS.

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*Petition of John and James Flewwelling.*

[Petitions, 33: 447.]

To the Honourable Council of Safety of the State of New York.

The Humble Petition of John & James Fluelling of the precinct of Newburrow in the County of Ulster now on board the fleet Prison, Humbly Shewit,

That your Petitioners some time in March last went to New Jersey on business and in their return were apprehended and conveyed on board the fleet prison; the reason of your petitioners being apprehended was as your petitioners suppose to be inimical to the American cause of Liberty. Your humble petitioners are willing to testify there Loyalty, fidelity and faithfullness to the State of New York and forever to Renounce the King of Great Brittain and his successors for ever, and to Do all that lays in our power willingly and chearfully to support & Defend the State of New York. Our harvest time is very near and if no proper care thereof is taken it will be a great Damage to your humble petitioners, therefore humbly pray the Honourable Council of Safety to take their case into consideration and give unto your petitioners such Relief as to the Honourable Council shall seem meet. And your Petitioners shall ever pray.

JOHN FLEWWELLING,
JEAMES FLEWWELLING.

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*Petition of David Ives and Jesse Noble.*

[Petitions, 33: 464.]

To the Honourable the Counsel of Safety now setting at Kingston.

The humble petition sheweth,

That David Ives and Jesse Noble, both of the Township of Goshen and New Millford Litchfield County in the State of Connecticut, have been confined between Two and three Months in different places, but never hath Tryal as yet, therefore your petitioner humbly beg the great favour of the Honourable Counsel of Safety, to let us have a hearing before them, and your Petitioners as in duty bound, shall for ever pray.

DAVID IVES,
JESSE NOBLE.

On Board of one of the Vessels in Kingston Harbor.

P. S. May it please the honourable Counsel of Safety to let your humble petitioners have a hearing before the Act of Grace is at End in the State we belong to as we are willing to take the benefit of it and beg for the same.

1777.

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*Petition of Alexander Campbell.*

[Petitions, 33: 466.]

To the Honb^le^ the Council of Safety for the State of New York.

The humble petition of Alex^r^ Campbell, Now confined in Kingston Goal, Humbly Sheweth,

That your Petitioner would humbly represent that his family is in the most Distress'd Situation that can be Imagined. That they are all confined to their homes by sickness and at this season of the year which requires the attention and Dilligence of Farmers more than any other, his your Petitioners lies neglected on acc^t^ of your Petitioners confinement and the Indisposition of his family. That your Petitioner cannot receive any Necessaries from home for his support, as none of his family are able to come to town and he would therefore humbly request that your Honb^le^ Board would take his unhappy circumstances into your Humane consideration, and



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Grant him some relief and he shall endeavour to Discharge his duty in such a manner as shall convince them that he is a real Friend to mankind and never meant to injure the Interest of the American States. Your Petitioner humbly prays you may answer this request.

1777. ALEX^R CAMPBELL.

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*Petition of William Pemberton.*

[Petitions, 33 : 450.]

To the Honourable the Council of Safety of the State of New York.

The Humble Petition William Pemmerton of City of Albany and now a Prisoner in Goal in Kingston.

GENTLEMEN: Whereas your Petitioner some time in the beginning of the year 1776 was apprehended by order of the Committee of Albany on suspicion of being Inimical and unfrindly to the cause of America. In consequence of that Charge I was sent by their order in the Government of Connecticut and pursuant to a Resolve of said Government was ordered to abide in a place in said Government called preston, being their a great while. Longing to see my wife & family apply'd for leave to government to come home & obtain'd it upon my parole, being in Albany one Night in my own house was ordered into confinement. next Day and some time ago was sent from Albany here in Kingston a Prisoner. I have heretofore made application to the Honourable Board for Leave to be heard and also as I Imagined that I would have my tryal & hear or be informed of the accusation against me before the Honourable Convention but hitherto have not been able to learn, but being here a Prisoner in Kingston having had an opportunity to Discourse with some men and I think it proper and my Duty once more to approch the Honourable Council of Safety with my petition hoping it may meet their acceptation & obtain my personal Liberty on the following terms. I am willing to be subject to the State of New York, and the Government thereof, I am a sincere friend and well wisher to my Country and its cause against Brittain, if the Honourable Council of Safety will be pleased to accept of all my evidence that I can give to satisfy the Honourable Council and my country, I offer in the following manner to take an Oath that I do and have renounced King George the third of Great Brittain and his successors for ever, and will renounce refuse and abjure any allegiance or obedience to the King of Great Brittain and his successors for ever, and I am willing to swear that I will Bear faith and true allegiance to the State of New York and the State will Defend to the utmost of my power & ability against the Enemies thereof and also against all persons concerned in plots traitorous Conspiracies and attempts whatsoever against the State of New York and its safety and also to discover all treasons traitorous Conspiracies and all kinds of Correspondence that may come to my knowledge against the State, and to the utmost of my power and abilities, support maintain and defend the Government and State of New York against all its Enemies both external and Internal. I am willing to answer truly to any Question the Council will be pleased to put to me respecting the State of New York or its Enemies. May it please the Honourable Council of Safety your humble Petitioner begs leave to inform the Council that if the Honourable Council should think proper to Discharge him from Confinement he would not go to Albany again, he would stay and live here in Esopus or in the Country where he can get a place untill these troubles are over and your humble Petitioner further informs the Honourable Council of Safety that he is willing to give one thousand pound security for his faithfull behaviour. May it please the Honourable Council your Petitioner hopes you will Not now detain your poor unhappy suffering petitioner any Longer, pray suffer your petitioner to enjoy that protection of this State as a

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subject thereof is entitled to, I have been confined a great while and tried to live so. If the Honourable Council should not think it expedient to Grant your petitioner a Discharge from confinement your Petitioner beseeches the Honourable Council to grant your Petitioner the Liberty of the Town of Kingston. Your Humble petitioner prays the Honourable Council if it can consistently be done that your poor suffering petitioner may be soon inlarged or Discharged from his present imprisonment Your poor Petitioner should be exceeding Glad Could it be Done this day, and your humble Petitioner shall ever pray.

W. PEMBERTON.

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*Captain Samuel Sackett to the Committee of Safety.*

[Journal N. Y. Prov. Con. I: 982.]

GENTLEMEN: Permit me to lay before you a state of facts (as I look upon myself to be aggrieved), would humbly beg you to take into consideration.

June 28th, 1775, I was commissioned by the Convention of this State, a first lieutenant, and went to the northward with General Montgomerie. My captain went home from Montreal; the General thought proper to promote me to a captaincy. I recruited a company and served in Canada until the New York regiments left that country, taking rank and receiving pay according to the General's appointment. Last November the Committee of Arrangement of this State did me the honor to appoint me the first captain of Colonel Henry B. Livingston's regiment, and the fifth in the State, which was giving me the rank I was entitled to by that appointment. The field officers of the regiment have lately thought proper to make an arrangement, and placed me the third captain of the regiment. As this not only affects me in our own regiment, but throughout the State, and takes from me that rank which the Convention gave me, would beg the Honourable Council to take the matter into consideration and give me redress.

As the want of a commission is all the pretence for depriving me of my rank, could I obtain one of the date of my appointment by General Montgomery, I should esteem it a great favour, as that would establish my rank with officers of other States.

With the greatest respect, I am gentlemen,

Your most obdt. hum. servt.,

KINGSTON, June 28, 1777. SAML. SACKETT.

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*Report of the late Committee of Arrangement.*

[Miscel. Pap. 36: 620.]

Your Committee to whom was referred the complaint of Cap$^{t}$ Sacket ags$^{t}$ Coll Henry B. Livingston & who constitute a Quorum of the late Com$^{e}$ of Arrangement have taken the same into consideration and thereupon beg leave to make the following Report:

Your Com$^{e}$ are of opinion that as the proceedings of the Com$^{e}$ of Arrangement have given umbrage to Coll Livingston & been the subject of much complaint on his part it will be proper to report all such of their Transactions as respect that Gentleman, in order that a proper judgm$^{t}$ may be formed of the Conduct of the Committee as well as the Behaviour of that Officer, and the more so as in their opinion much light will be thereby cast on the Subject particulary refered to your Com$^{e}$ That the Honorable the General Congress on the 16$^{th}$ Day of Sep$^{t}$ 1776 and among other things

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*Resolved*, that Eighty Eight Battalions be enlisted as soon as posible and that the State of New York furnish four Battalions of that number, that the appointme$^{t}$ of all Officers and filling up vacancies (vacancies except General Officers) *be left to the Government of the several States.*

That the Honible the General Congress among other Resolutions of the 2$^{nd}$ October 1776 respecting the Battalions aforesaid did resolve as follows Viz$^{t}$ "As the Army has greatly suffered through the Defect of some of its Regimental Officers

"*Resolved* that it be recommended to the Assemblies & Conventions of the respective States to use their utmost endeavours that all the Officers to be hereafter appointed be men of Honor and known abilities *without a particular Regard to their having before been in Service.*"

That on the 15$^{th}$ Day of Oct 1776 the late Convention of this State did by Ballot appoint John Jay, Lewis Graham, Robert Harpur, James Duane, Jacob Cuyler and Robert Yates & William Duer to be a Committee for carrying into Execution the Resolves of Congress relative to the New Arrangement of Officers, and further that the said Convention did by a Resolution made on the Day of 1776 Add Charles De Witt to the said Committee.

That agreeable to the Resolutions of Congress as well as those of Convention Lewis Graham, Robert Harpur & Charles De Witt repaired to the Army under the Command of his Excellency General Washington, & James Duane, Jacob Cuyler & Robert Yates to the Army Commanded by Maj$^{r}$ Genl Schuyler in order to obtain from the General Officers in both Departments the characters of the several inferior Officers of this State then in service.

That on the return of the said Gentlemen the Committee of Arrangement met & rec$^{d}$ their Reports that this meeting was held at Fishkill on the 15$^{th}$ Day of Nov$^{r}$ That the contents of a letter from his Exce$^{ly}$ Gen$^{l}$ Washington to the Convention was communicated to the Com$^{e}$ in w$^{h}$ his Excellency recommended Henry B. Livingston to the Notice of the Convention as a Brave and active Officer.

That on the 16$^{th}$ Day of November the Com$^{e}$ proceeded to appoint the Collonels for the four Battallions directed to be raised in this State and unanimously appointed Goose Van Schaick Esqr to be Collonel of the first Battallion, Philip Van Cortlandt of the second & Peter Gansevoort of the third. That when the Committee proceeded to the appointment of the Collonel of the fourth Reg$^{t}$ Debates arose respecting the person to whom that Place sh$^{d}$ be given. It was contended by some of the members that Genl Washingtons recommendation of Mr Livingston to determin the Committee in his favor others observed that L$^{t}$ Coll Wisenffels was before him in Point of Rank & Equal to him in Merit. It was then suggested to the Com$^{e}$ by a member who said he was authorized by L$^{t}$ Coll Weisenfels for that purpose that he was content with his present Station & would be satisfied to be continued in it. To this it was replied that the Modesty of L$^{t}$ Coll Weisenfels instead of impeding his Promotion ought to be an additional Reason for his advancement—upon the whole a considerable Majority of the Com$^{e}$ influenced by a desire of paying on all occasions the highest respects to his Excellencys Recommendation appointed Henry B. Livingston Collonel of the fourth Battallion.

The Committee having rec$^{d}$ very respectable Recommendations of Coll Lewis Du Bois & having Reason to believe that a fifth Battalion under his Command might be raised in this State were inclined to recomend it to the Convention to apply to Congress for Permission to raise it. It was however previously thought necessary to converse with Coll Du Bois on the subject.

Coll Du Bois on being informed by the Committee of these Intentions of applying for a fifth Battalion & of giving him the Command of it, informed the Committee that as he had been appointed a Major in Canada by Genl Montgomery and at a Time when Colonel Livingston remained a Cap$^{t}$ and as he had since his late app$^{t}$ to a Reg$^{t}$ by Congress in the last Campaign Commanded Col Livingston when a Lieut Coll he must decline receiving a Commission which w$^{d}$ subject him to be commanded by that Gen$^{t}$ That he had no objections to being placed in Rank inferior to Colls Van Schaack, Gansevoort & Cortlandt as he was satisfied they had a just Right to that Superiority, and that if the Committee would make him the fourth

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Colonel in Rank he would readily take the Command of a fifth Regiment. The Committee conceiving there was weight in Col Du Bois' objection communicated them to Col Livingston in the presence of the whole Committee & urged several arguments to convince him of the propriety of Coll Du Bois taking Rank of him—Coll Livingston at first seemed unwilling to yeild it. But before he left the Room told the Com^e that if Col Du Bois appoint^mt to that rank would conduce to the publick Service he would acquiesce, on which the Committee commended the liberality of the sentiments and the Coll departed to all appearances satisfied. The Committee shortly afterward to wit on the Day of last made a Report of the Arrangement they had made of the four Battalions to the Convention, and among other things contained in that Report, Recommended it to the Convention to use their influence with the General Congress to obtain their Permission & order for raising a fifth Battalion in this State. That Col Du Bois Command the said Battalion so to be raised and have the Rank of 4^th Coll of the New York Forces.

That the Convention

that the hon'ble the General Congress.

That the Committee then proceeded to arrange the Officers of the said fifth Battalion & appointed Coll Du Bois to the Command of it with Rank of fourth Coll of the Forces raised in this State; that much Time elapsed before the Committee were informed of Coll Livingston being discontented.

That his letters to the Committee so late as the 14 Jany and 8 Feb^y last contain no complaints. That his first application to the Committee on the subject of Rank after Coll Du Bois appointment was by a Letter in the words & figures following:

"FISH KILL, 7 March 1777.

GENTLEMEN: From some things dropt in conversation with some of the members of your Board I thought I had Reasons to fear a Mistake in asertaining the Rank of the Colonels appointed for this State that might be determental to my character as an Officer.

To prevent so disagreable a Circumstance I dispatched a Gentleman to Baltimore for the enclosed Resolves which I had been informed were passed in Congress. You will doubtless see an Impropriety in my serving under an Officer whom Congress have determined I should take Rank, as it is an affront I would not willingly offer those to whom I have so many obligations.

I am Gentlemen, with the greatest Respect, you most obed^t hum Serv^t

HENRY B. LIVINGSTON."

The Resolves refered to & enclosed in the above Letter are three—of the 14 Jan'y, the 8 March & 22 March in the year 1776—and are as follows:

IN CONGRESS, Jan'y 14, 1776.

*Resolved* that in all Elections of Officers by Congress, when more than one are elected on the same day to commands of the same Rank, they shall take Rank of each other according to their Election and the Entry of their names in the Minutes & their Commissions shall be numbered to show their Priority.

Extract from the Minutes,

CHA^S THOMSON, *Sec^y*

IN CONGRESS, March 8, 1776.

Henry B. Livingston is Elected Lieu^t Collonel of the 2^d Battallion of New York Forces and by the order in which he stands takes Rank of Lieut Coll Wiesenfels, and Lieut Col Courtlandt appointed on the same day.

CHA^S THOMSON.

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March 22, 1776.

*Resolved* that the Rank of all such officers in the Continental Army as held similar Commissions in that service before the term of their late appointments expired be settled by the Dates of their former and not their present Commissions.

Extract from the Minutes,

CHA. THOMSON, *Secry.*

Immediatley after the above Resolution follow some Remarks introduced by a N. B. in a hand resembling that of Mr Secy Thomson but which do not appear to have been extracted from the minutes of Congress or directed by them—they are in the words following:

"N.B. This passed to settle a Dispute between Officers of the same Rank, where one who was prior by the Date of his first Commission was put posterior to another in the new appointment both still holding the Same Rank, But was not to have any effect in cases of Promotion, Congress having reserved and exercised the Power of Promoting merit without regarding prior Rank."

The Committee of Arrangement were of opinion that as these remarks did not appear to have proceeded from the Congress they ought to have no influence on their Deliberations; they were further of opinion that the Resolution of the 8th of March was repealed by that of the 22d of the same month—and they have good reason to believe that it was repealed in consequence of Representations of the evils it was like to have occasioned in this State. Some of the best of whose Officers having been superceded by that fortuitous mode of ascertaining Rank remonstrated against it, and the Congress thereupon by subsequent Resolutions readily removed all cause for complaint. The Committee of Arrangement therefore not percieving that Coll. Livingston was by Virtue of these Resolutions entitled to the Degree of Rank he seemed to aim at, did not concieve it necessary to reconsider or alter their former Resolutions on that Head—Coll. Livingston however persevered in thinking his pretensions well founded, and appeared much dissatisfied with the Conduct of the Committee. The Committee sometime afterwards recd a Letter from that Gentleman which a little surprized them—It is as follows:

PEEKS KILL, 16 March, 1777.

GENTLEMEN: The Delays occasioned by the multiplicity of Business you are engaged in foreign to the appointment of Officers has induced his Excellency Genl Washington to impower me to fill up the Vacancies of subaltern Officers in my Regiment.

In consequence I have appointed Mr John Titus a Lieutenant and Mr. Samuel Talmage an Ensign, two worthy young men. Dr. Graham's Son is proposed for another Ensign. I hope these appointments will meet your approbation.

I should be exceedingly obliged to you for the Commissions of the Officers, as most of them would be averse to going [into] any engagement with the Enemy without them.

The Major who you were pleased to appoint to the Regiment has left me & been absent seven weeks to morrow so that in my opinion he has been taken by the Enemy or has deserted the service. His departure was against express orders.

The Lt Colonel is still vacant—the Remedy for these Evils lie with you—the good of the Service at present requires me to make a Representation of these matters to you, Altho I fear I am not so deeply interested in them as I have been.

I am Gent, Your most obedt Servt.,

HENRY B. LIVINGSTON, *Cl*

When the Committee considered the extreme Delicacy with which his Excellency Gen. Washington had always treated the Convention and civil authority of this State, and that he had given power to Coll Livingston & no other Coll in this

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State that the Com^e ever heard of, to appoint subaltern Officers to his Regiment without the consent or approbation of the Committee they found themselves greatly at a loss to account for the Reasons of that Measure, and never since received any Information on that Head. The Committee were unwilling to enquire how far the Right of appointing officers was, consistant with the Resolves of Congress, capable of being Delegated to Coll Livingston. They had previous to the Rect of his Letter filled up the vacancies mentioned in it, and therefore thought it expedient to be silent on that subject—to the other parts of Collonel Livingstons Letter they wrote the following answer—

SIR: Your letter of the 16^th Ins^t was laid before the Committee of Arrangement. In answer to which I am directed to acquaint you that the appointment of subaltern Officers to your Regiment was completed before Major Ledger left Fish Kill, who took a copy of it. The Committee have never heard that any vacancies have since taken Place in your Regiment, and therefore cannot be charged with any Inconvienances which may have resulted from want of information in this Respect. Had they been apprized of such vacancy (notwithstanding the urgency & Importance of other Business) they would have readily proceeded to place others in there stead, and of this we flatter ourselves you have had sufficient Experience.

It is possible that Major Ledger has not given you a Copy of the Arrangement, I therefore enclose you a Copy—It was compleated before his Departure.

The Committee are now engaged in ascertaining the Rank of the Officers, and they will send you the Commissions as soon as this matter is finished which will be in a few days. I am &^c

ROBERT YATES, *Chairman.*

The Committee in order if posible to extinguish this unhappy contention about Rank entered the Reasons which had influenced them in appointing the five Colonels on their minutes, & sent Copies to Coll^s Courtlandt & Livingston—they were in these words

GENTLEMEN: The Committee of Arrangement have determined the Rank of the Collonels appointed to Command the Five Battalions directed to be raised in this State in manner following, vizt:

Coll Van Schaick to be first Collonel Because he has from the time he first entered the Service been a Superior Officer to the others.

Coll Van Cortlandt to be the second Colonel Because he hath from the time he first entered the Service been a Superior Officer to the other three.

Colonel Gansevoort to be the Third Colonel Because when he first entered the Service he was a Superior Officer to the other two and because Coll Du Bois who alone can be effected by his appointment hath consented to it.

Coll Du Bois, to be the Fourth Colonel Because among other reasons, Collonel Livingston, who alone can be effected by it, did consent to it, and that as this Committee understood him on Principles which do him Honor.

Col Livingston to be the fifth Colonel for the Reasons above mentioned, and because L^t Coll Wiesenfels who from his prior Rank was entitled to it consented to wave his Right.

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*Certificates Relative to Peter Corney.*

[Miscel. Pap. 38: 147.]

July 4, A. M. 1777.

Certificate of Freelove Birdsal and Jane Seaman relative to the exchange of property with Peter Corney of West Chester now with the Enemy.

I the Subscriber Lately from Long Island, Wife to Benjamin Birdsall, do hereby Certify that when I was at home on Long Island in my own House & no Body with me but my Children some time in the Latter Part of April Last a Certain man, being

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an intire Stranger, Came to my House & Called himself by name Peter Corney he told me that he had a Permit for me & Family with my Effects to remove to Peecks Kill to my Husband & then read me the Permission. He asked me whether I Chused to go or not. I replied yes it was my Choice to go But inquired of him in what manner I shoud go. His answer was you must know that in the first place you must procure a Sufficiency of Teams to Cart your Effects down to New York Ferry which is about Thirty Two miles & then hire a Boat to Carry you up to Peecks Kill. I asked him the Expence of the Boat he said he did not know but Likely Twenty Pounds. I from that desired a Little time to give him an answer to See if I Could get Land Carriages in order to move me. He told that he was in a great hurry. I asked him to go over to my fathers which was about half a mile of. He went & there he Discouraged my removal told my father in one fortnight that I should be Distressed. Immediately my father Came over & informed me what Corney had said & I Believe it to be the truth I being Still anxious to remove & Some of my neighbours Coming in I desired their assistance in Carting my Effects to the ferry, in the mean time Corney returned & insisted upon an answer but I told him if I am to go with you as my Friend through this Difficult & Long Journey with my Children pray tell me how I am to fare or where I am to go; he returned me this answer, O God dont ask me nothing about it. I then asked my neighbours if they would remove me & my Effects to the Ferry they intimated the great Expense & their Teams being in the service I was denied; Corney then sat down & wrote something for me to sign, I being a woman & alone & full of Trouble upon Corneys request and not knowing the Consequence I unwillingly Signed it—I do Certify in regard to the Kings Troops & the Torys the worst. I suffered the Loss of almost all my Husbands Stock to wit: Two pair Fatting Oxen, Six Fatting Cows, the first & from that about Thirty Head of Store Cattle, Two pair of Working Oxen, Two Ox Carts, Two Horses & a Good new Waggon, about ninety Sheep, Poultry, &c., &c., &c. Plundered my House of many valuable things, Left me many hard Curses & threats about my Reble Husband & but just a Living. A heart full of Trouble has been my fare Since the Island was given up. FREELOVE BIRDSALL.

Dated Dover, June 23d 1777.

The Subscriber Late from Long Island wife to Zebulon Simons believing the offer of Peter Corney to Freelove Birdsall for at the same time he proposed moving me & family but told me if I removed to Peeks Kill I should Starve to Death in Less than Six weeks, if I knew when I was well off to stay where I was & as to my signing a refusal to Come it was not my will but were pursuaded & so Signed upon Corney's request unwillingly. JEAN SEAMAN

Dated Dover, June 23, 1777.

We the Subscribers of the aforesaid Wifes Do hereby Certify that we really believe in what our wifes have testified to be the Truth & that they voluntarily of their own free wills without any fear of us favour or Partiallity have done the Same & that they have Since we have fetched them from the Island often told us the Same. We Do further assert which part may appear by our receipts in the back of the Flag Dated Huntington Harbour, May 13, 1777, that we have not received our Families & Effects agreeable to the Contract asserted by the general Officers For the Exchange of our families & that the true intent & Design for which Corney went to the Commanding officer at New-York to negociate the Exchange were only to get the Permission asserted by the Commanding Officer thereof & then to return. Corney had no business to remove our families & Effects—neither did we Expect it or Ever Changed a word with him in that way but on the Contrayry he was to return & move his Family first & the Same Boat which Carreyed his Family if she would go to oyster Bay or Huntington Harbour she then were to bring our families back & if she would not then Each to remove their own families in such manner as would be most advantageous. BENJAMIN BIRDSALL,

Dated Dover, June 23d 1777. ZEBULON SEAMAN.

[See Petition of Dennis Kennedy, 24 May, 1777.]

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*Clothing Required by Prisoners of War.*

[Miscel. Pap. 38: 141.]

To the Commissary At Sopis. SOPIS, July 6th 1777.

| A Return of nessarys, good. | Shirts. | Shoes. | Stockings. | Coats. |
|---|---|---|---|---|
| Thomas Bostick, Sergt. 9th Regt., | 1 | 1 | 1 | .... |
| William Resten of 20th Rgt., | 1 | .... | .... | .... |
| James Dun of the 21st, | 1 | 1 | .... | .... |
| Francis Trotter of the 21st Regt., | 1 B | .... | .... | 1 |
| John Macky of the 21st Rgt., | 1 B | .... | .... | 1 |
| Joseph Mackguire of the 47th Rgt., | 1 | .... | .... | 1 |
| Francis Horseman of the 53 Regt., | 1 B | .... | .... | .... |

| Nessarys wanting verry Bad. | Shirts. | Shoes. | Stockings. | Coats. |
|---|---|---|---|---|
| Thom^s Bostick, Sergeant of 9th Rgt., | 1 | .... | 1 | 1 |
| William Resten of the 20th Rgt., | 1 | 1 | 1 | 1 |
| James Dun of the 21st Rgt., | 1 | .... | 1 | 1 |
| Francis Trotter of the 21st Rgt., | 2 | 1 | 1 | .... |
| John Macky of the 21st Rgt., | 2 | 1 | 1 | .... |
| Joseph Mackguire of the 47th Rgt., | 1 | 1 | 1 | .... |
| Francis Horsman, 53d Rgt., | 2 | 1 | 1 | 1 |
| Breaches non. | | | | |
| Total, | 10 | 5 | 7 | 4 |

*Bond of Marcus Blatnar.*

[Miscel. Pap. 38: 125.]

Know all men by these presents That I Marcus Platnaar of the Manor of Livingston in the County of Albany and State of New-York, am held and firmly Bound unto the Treasurer of the State of New-York or to his Successors in the sum of three Hundred Pounds Currant money of the State of New-York to be paid to the Treasurer of the State of New-York and Successors, for the use of the State of New-York, to Which payment well and truly to be made and Done I bind myself my heirs Executors and administrators and every of them firmly by these presents sealed with my seal. Dated this ninth Day of July in the year of our Lord one Thousand Seven Hundred and Seventy Seven.

Whereas Martin Loop now a prisoner on board the fleet Prison for being inimical to the American Cause of liberty for his Discharge from Confinement and his future good Behaviour fidelity and obedience to the government of the State of New York. Now the Condition of this obligation is such that if the said Marten Loop above mentioned shall in all things behave as a good Honest and faithful subject to government of the State of New-York and from time to time shall obey all Lawfull Commands and pay Due obedience thereunto of all officers Civil or Military which Now are and from time by the Constitution thereof be appointed over him that then this present obligation shall be Void and of none Effect or Else to Stand and Remain in full force and Virtue. MARCUS BLATNER. [L. S.]

Signed Sealed & Delivered In the presence of us,

HENDRICUS MASTEN,

JOHN DUMONT.



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*Canvass of Votes for Governor and Lieutenant-Governor of New York*, 1777.

[Miscel. Pap. 37: 225–233.]

| | For Governor. | | | | | | | | | | For Lieutenant-Governor. | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | George Clinton. | John M. Scott. | Ph. Schuyler. | John Jay. | Ph. Livingston. | R. R. Livingston. | James Duane. | John S. Hobart. | John Schuyler. | Alex. McDougall. | P. Van Cortlandt. | George Clinton. | John M. Scott. | A. Ten Broeck. | Ph. Livingston. | Martin Wygant. | Ph. Schuyler. | John Jay. | P. R. Livingston. | Wm. Duer. | James Duane. | R. R. Livingston. | John S. Hobart. | James Clinton. | Alex. McDougall. | Alex. Clinton. | Dirck Morris. | V. Douw. | J. Van Rensselaer. |
| **Ulster county:** | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Kingston, | 68 | 33 | 10 | | | | | | | | 63 | 27 | 14 | 1 | | | | | | | | | | | | | | | | |
| Newburgh, | 165 | 7 | | | | | | | | | 157 | 6 | 1 | | 2 | 1 | 2 | | | | | | | | | | | | | |
| Dubois, | 69 | 2 | 2 | 5 | | | | | | | 72 | 3 | | 1 | | | | 1 | | | | | | | | | | | | |
| Mrs. Hills, | 164 | 21 | | | | | | | | | 164 | 17 | | | | | 1 | | 1 | | | | | | | | | | | |
| **Charlotte county:** | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| New Perth, | 2 | 100 | 6 | | | | | | | | | 103 | 7 | | | | | | | | | | | | | | | | | |
| Granville, | | 23 | | | | 1 | | | | | | 22 | | | | | 2 | | | | | | | | | | | | | |
| Kingsbury, | | | 29 | | 1 | | | | | | | 8 | | 23 | | | | 1 | | 1 | | | | | | | | | | |
| **Dutchess county:** | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| New Hackensack, | 88 | 17 | 17 | 2 | | | 2 | | | | | 36 | 8 | 35 | | | 18 | 43 | | | 5 | 1 | | | | | | | | |
| Charlotte, | 65 | 1 | 4 | 34 | | | | 1 | | | | 39 | | 1 | | | | | | | 18 | | 3 | | | | | | | |
| Westfall, | 11 | | 86 | 7 | | | | | | | | 92 | | 9 | | | | 2 | | | | 1 | | 1 | | | | | | |
| Beekmans, | 40 | 1 | 4 | 2 | | | | | | | | 7 | 1 | | | | 1 | 39 | | | | | | | | | | | | |
| Fradksburgh, | 4 | | 21 | | 4 | 6 | | | | | | 28 | | | | | 2 | 1 | | | | | | | 1 | | | | | |
| **Westchester county:** | 68 | 62 | 7 | 101 | | | | | | 1 | | 152 | 50 | | 4 | | | 6 | | 1 | | | | | 25 | 1 | | | | |
| **Tryon county:** | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Mohawk District, | | | 164 | 7 | | | | | | | | 5 | | 166 | | | | | | | | | | | | | | | | |
| Palatine District, | | | 22 | 126 | | | | | | | | 127 | | 21 | | | | | | | | | | | | | | | | |
| German Flats, | | 16 | 24 | 82 | | | | | | | | 94 | | 26 | | | | | | | | | | | | | | | | |
| Canajoharry District, | | 30 | 27 | | | | | | | | | 35 | | 24 | | | | | | | | | | | | | | | | |
| Old England, | | 6 | | | | | | | | | | 6 | | | | | | | | | | | | | | | | | | |
| Harpers Field, | | 25 | | | | | | | 2 | | | 25 | 1 | | | | | 1 | | | | | | | | | | | | |
| **Albany county:** | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Schnecady, | 7 | | 70 | | | | | | | | | 50 | | 13 | | | 5 | | | | | | | | | | | | | |
| Cocksackie, | | | 55 | | | | | | | | | 7 | | 47 | | | | | | | | | | | | | | | | |
| Tomhenick, | 80 | 24 | 20 | | | | | | | | | 26 | | 55 | | | | | | | | | | | | | | | | |
| Stillwater, | 38 | | 41 | | | | | | | | | 3 | | 63 | | | | | | | | | | | | | | | | |
| Claverack, | | | 114 | | | | | | | | | 111 | | 3 | | | | | | | | | | | 27 | | | | | |
| City of Albany, | | | 289 | 1 | 6 | | | | | | | 40 | 2 | 258 | | | | 14 | | | | 3 | | | | | 1 | 1 | 1 |
| | 865 | 368 | 1012 | 367 | 11 | 7 | 2 | 1 | 2 | 1 | 456 | 1076 | 84 | 746 | 6 | 1 | 81 | 108 | 1 | 2 | 23 | 5 | 3 | 1 | 53 | 1 | 1 | 1 | 1 |
| On a separate slip are the opposite figures without the name of any place, | 963 | | 187 | | | | | | | | 642 | 569 | | | | | 26 | | | | | | | | | | | | | |

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*Canvass of Votes for Senators, Charlotte County, N. Y.*, 1777.

| | Wm. Duer. | Jno. Williams. | Alex. Webster. | Aaron Fuller. | Elishama Tozer. | Patrick Smith. | Ahm. Wing. | Wm. Gilleland. | James Savage. | David Tom. | Col. Marsh. | Jno. Knight. | Jno. McNeaght. | Col. Campbell. | Eben. Russell. | Ehen. Clarke. | Jno. Gibson. | Matthew Wheeler. | Jno. Lilley. | Genl. Bayley. | Col. Brunsen. | Wm. McKoy. | Jno. Nisbet. | Jno. Mallaster. | John Rowan. | Hamilton Malaster. | Jno. Barns. | Wm. McFarlen. | Mr. Sessions. | Capt. Moss. | Jno. Forster. |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Kingsbury | 32 | 21 | 20 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Granville | 20 | 20 | 22 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| New Perth | 10 | 15 | 99 | 2 | 3 | 3 | 4 | 5 | 1 | ..... | ..... | ..... | ..... | 16 | 6 | 11 | 15 | 2 | ..... | ..... | ..... | ..... | 20 | 32 | 16 | 1 | 27 | ..... | ..... | ..... | ..... |
| Locality not given | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 1 | 2 | 1 | 6 | ..... | ..... | ..... | ..... | ..... | 1 | 3 | 5 | 1 | ..... | ..... | ..... | ..... | ..... | 2 | 2 | 1 | 1 |
| | 62 | 56 | 141 | 2 | 3 | 3 | 4 | 5 | 1 | 1 | 2 | 1 | 6 | 16 | 6 | 11 | 15 | 2 | 1 | 3 | 5 | 1 | 20 | 32 | 16 | 1 | 27 | 2 | 2 | 1 | 1 |

The votes for Senators in the Western and Middle Districts are printed in Journal N. Y. Prov. Cong. I., 990.

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*Petition of Paul Upton and other Quakers.*

[Petitions, 33: 418.]

To the Convention at Sopes.

We the subscribers being of the people called Quakers Prisoners on bord of the fleet prison in Sopes Creek by a resolve of the Convention for attending our annuel meeting on Long Island take this oppertunity to Inform that we are Clear and Innocent as to any conspiracies or concerning ourselves in marshal affairs neither had we any other view but in simplicity to attend our Religious meeting as usual therefore we desire the Convention to be pleased to consider our Innocence and grant us liberty to return to our families.

Joshua Haight, Zophar Green, Jonathan Dean,
Benjamin Jacakt, Paul Upton, Tripp Mosher.

SOPES CREEK, the 10th of the 7th 1777.

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*Commission of Lieutenant McNeil.*

[Miscel. Pap. 36: 691.]

IN CONVENTION OF THE STATE OF NEW YORK, The Ninth Day of July 1777.

To John McNeill Gentleman—Greeting:

By Virtue of the Authority reposed in us, we do hereby nominate, authorize, Constitute and appoint you the said John McNeill first Lieutenant of the Company whereof Samuel Waters Esqr is Captain in Colonel David Sutherland of Rhinebeck Dutchess County hereby requiring you, before you enter into the Exercise of your Said Office, to make in Writing, and subscribe in Presence of the Chairman of the Committee of the City, Town, District, or Precinct wherein you reside, the Declaration appointed and directed by the Eleventh Section of the Seventh Resolve contained in the Rules and Orders for regulating the Militia of the Colony of New York, recommended by the Congress of this State on the 22d Day of August 1775, and authorizing you fully to execute all the Powers belonging to your said Office, by Virtue of the said Rules and Orders, and the said Declaration: And we do hereby require all Persons under your Command, to pay due Obedience to you, according to the said Rules and Orders, and such further Rules and Orders as shall be made and recommended for the Militia of this State, by the present, or any future Continental Congress, or Convention of this State.

By Order

Attest, ROBT BENSON, *Secry* NATHLL WOODHULL, *Presidt*

AMENIA PRECINCT, 11th July, 1777.

These may certify that Lieut John McNiell hath this Day made in writing and subscribed in my presents the Declaration appointed & directed by the Eleventh section of the Seventh Resolve contained in the Rules & orders for Regulating the Militia of the Colony of New York Recommended by the Congress on the 22d day of Aug. 1775.

SILAS MARSH,
*Charn Comt 3d Precinct.*

---

*Memorial of Major Wheelock.*

[Petitions, 33: 414.]

To the Honorable Council of Safety for the State of New York.

The Memorial of John Wheelock Esquire, Humbly Sheweth

That whereas on the Eighth Day of April last The Honorable Legislature of this State were pleased to appoint him to raise three Companies of men in the North-eastern parts of the same, the officers of which Companies were not to be entitled by the resolves to Commissions untill at least one hundred and fifty men be enlisted, And whereas your Memorialist notwithstanding he has exerted himself in every possible respect to raise the said men, finds no prospects of getting the Quota as

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above specified by reason of many unforseen obstacles especially those of a political nature. And whereas the time for recruiting has mostly expired & not more than eighty men at farthest have as yet engaged (a detachment of which has been ordered here by your honorable body, part of whom have arrived, and the others are continually expected) These are therefore humbly to request your Honorable House to take the above matters into your wise & prudent consideration, and determine whether or no it be consistent with the great interests of Government, to confirm the Corps, And your Memorialist as in duty bound shall ever pray.

FISHKILL, 10 July 1777. JOHN WHEELOCK.

To Major John Wheelock.

[Miscel. Pap. 37: 749.]

RESPECTED SIR: Since the subject we have lately conversed upon appears to involve great difficulty and since I am very anxious to conduct the affairs according to the strictest rules of *Justice*, *duty* and *honor* I must therefore once more beg leave to state the matter which was the subject of our conversation in a fair point of view & then submit it with my final determination to the censure or applause of the discerning & impartial. And the desire I have to give all reasonable satisfaction I hope may apologize for the unseasonableness & length of this Epistle, relying on your known benevolence to peruse it with candor.

When I had the honor to receive a Warrant from you, it was on this principle which I acted, Viz. A view to promote the grand cause of my Country—to exert myself in defence of our injured Rights and invaded Liberties, and not from any prospect of *gain*, *honor* or *ease*. Also it had been represented that I could without doubt soon fill my company; indeed as there was then no appearance of danger from the Enemy on these frontier settlements, nor any open actings among the Inhabitants respecting a new State, and as numbers had expressed a desire to engage in a southern department it appeared more than probable that I might without great difficulty effect the same. This I say was the principle I acted upon, and the reason which induced me to the undertaking; and the success we met with for about six weeks evidenced that such conjectures were not altogether groundless, since when you are sensible, Sir, that affairs have taken a very different turn. The sanguineness of People to accomplish their Ends—The defenceless situation of this

[Part of the MS. gone here.]

was rather inclined to think it best, all things considered, for me to quit the service, and that unless you brought Commissions we absolutely must, &c.

Add to all these I wish I could say that some aspersions upon the conduct of Individuals in the Corps were altogether groundless tho' I can say with Confidence that I have heard no reflections upon yourself. Having of late thought much on the affair & considered the verry small number of men I should have to command Viz about fourteen together with a first Lieutenant which it seems would be as much expence as profit & as little of honor as either. These and the like reasons had at most induced me to settle my accounts, And now the unexpected death of my Father and the sickness of my Brother leave me with the care of an unsettled Estate & render the affair still more difficult so that I can by no means see my way of Duty clear to march from the Country or continue in the service. I am therefore reduced to the disagreable necessity of falling short of my engagements and tho' I have experienced many expressions of kindness and friendship at your hand which will ever leave grateful emotions of respect in my bosom I must decline the honor you have offered and conclude forthwith to settle my accounts. And tho' I have a hearty disposition to serve the cause in general & that of your Corps in particular yet no man of experience or reason will think it just or honorable for me to return men enlisted under me into other Companies and that for this plain reason because they enlisted to serve under my command & not with a view to have me dispose of them to another as my fancy may direct. Nevertheless I will use my influence that they may continue in your Detach-

[The rest of the letter is gone.]

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*Affidavit of William Payne.*

[Miscel. Pap. 38: 117.]

Kingston, ss.

James William Paine late of the City of New York Merch$^{t}$, being sworn on the holy Evangelists of Almighty God deposeth & saith

That he was first Lieut. in Capt. Goforth's Company in the year 1775, and was in Canada, where he was made a Capt. by General Wooster. That in the year following he, together with other officers, was neglected in the arrangement of Officers then appointed for the troops raised in this State. That when the Enemy took possession of New-York the deponent's family was at Whitestone on Long Island & himself at West Chester. That he shortly after was taken by a Guard Boat of the Enemy as he was crossing to Long Island to bring off his Family, and was confined on Board the Niger Man-of-War in Irons three weeks on suspicion of his being a Spy, but no proof of that kind appearing ag$^{t}$ him he was then permitted to go to his family on Parole. That he remained thus with his Family for about ten weeks when he was again apprehended on Suspicion of doing secret services to the Americans, and confined in the new Goal in the City of New-York, for three months and ten days, from, whence he was discharged by Gen. Robinson at the intercession of Mrs. Robinson, the Daughter of Francis Lewis, Esq$^{r}$ That he then returned to his Family and was meditating an Escape with them when Information was lodged against him of his having rec$^{d}$ and distributed in New-York several copies of the Act of Grace of this State. That on receiving Intimations of this, he concealed himself, and in a short time to w$^{t}$ ab$^{t}$ 3 weeks ago escaped from Great Neck on Long-Island to Rodman's Neck. From thence he went to the Quarters of Major Fish at the White Plains.

That while on Long-Island the Deponent became acquainted with a Hessian Lieut. who lived at M$^{r}$ Roberts near Flushing. That this Officer told him The Hessians were assured that the Americans would give them no quarter, for which Reason they had hung about twenty Americans who they had taken Prisoners, in cold blood,—but that as soon as they were undeceived they observed a different treatment towards them. That when he left Long Island he saw Coll. Paterson of Gov Browns Brigade who told him they had lost 184 Men in the Dansbury Expedition and that a Coll. of the name of Walcot or Calcot had died of his wounds. That he was well informed that two Capt$^{s}$ of the New Levies had also died of their wounds.

That about the seventh Day of June last the Dept. was in New York, that he then saw between forty & fifty Vessels ready fitted for the Reception of Horses. That he heard the Tories and some of the Enemies Officers say that Gen. How would if practicable push for Philadelphia but if he found the American Army too strong he would wait till he heard from the northward, and that as soon as Burgoyne's Army got to Albany he would go up Hudsons River—that an Opinion generally prevailed that a war with France was unavoidable. That before he left the Island, the Enemy were collecting Hay ready pressed and had a great Quantity ready for transportation.

That the morning this Dept. was at New Hackensack in Dutchess County, that he there saw a man who said he was going Express from the Northward to Gen. Putnam, and that Ticonderogeah was not taken and that the Enemy had been defeated in two or three attempts on the Lines, & that he had heard we had taken 200 Prisoners.

JAMES W$^{M}$ PAYNE.

Sworn the 12 Day of July, 1777. Before me

JOHN JAY.

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*Bond of George Teter.*

[Miscel. Pap. 37 : 199.]

Know all men by these presents that I George Teter of Claverack in the County of Albany am held & firmly bound unto Peter Van Brugh Livingston, Esqr. Treasurer of the State of New York in the sum of Three hundred pounds of lawful money of New York to be paid to the said Peter Van Brugh Livingston his certain attorney

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Executors or successors, for payment whereof I bind myself my heirs Executors and administrators firmly by these present sealed with my seal & Dated this thirteenth day of July 1777.

The condition of the above obligation is such that if the above bound George Teter shall and do from time to time faithfully observe and obey the Resolves and Regulations of Congress and of the Convention and Councill or Committee of Safety of the State of New York & future Legislature of the said State of New York and also such orders of the Committee of Claverack & the Militia officers of that District as are or may be grounded on any such Resolution and Regulations then the above obligation to be void but on failure or non performance of any or either of the above conditions, matters or things to be and remain in full force and virtue.

Sealed & delivered in the presence of us being first truely read to the said George Teter,
THOMAS PETTIT,
JOHN M^cKESSON.

GEORGE his x mark TETER.

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*Petition of Prisoners.*

[Petitions, 33: 420.]

To the Honourable the Counsel of Safety for the State of New York, now setting at Kingston.

The humble Petition of the subscribers formerly living at different places in the States of New York & Connecticut, humbly Sheweth,

That whereas your Petitioners have been confined for a long time in different places of this State and are now on Board the Prison belonging to the same at this Port and most of them having Families at home, who in their distressed situation, want assistance and help for them, and That your Petitioners who have Farmes will Loose all their Families Living if in case they can not obtain their liberty as the Harvest is drawing near and a great many fine Crops will be lost by your Petitioners being confined here to the great Determent to them and their poor families. Therefore your humble Petitioner earnestly beg the honourable Counsel of Safety will take their lamentable circumstances in serious consideration and grant to them the benefit of the act of grace, as they are willing to apply for it and your pititioners as in duty bound shall ever pray.

| | | |
|---|---|---|
| Benjamin Cole, | David Cole, | Aaron Cole, Jun^r |
| John Heart, | John Martin, | Joseph West, |
| Edward Simmons, | John Phillips, | Will^m West, |
| Aaron Cole, Sen^r | Jesse Noble, | Nathaniel Corbin. |
| Sam^l Phillips, | | |

ON BOARD OF THE STATES PRISON AT KINGSTON PORT, July 14^th 1777.

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*Petition of William Bed.*

[Petitions, 33: 420.]

The humble Petition of William Bed by himself humble sheweth

That he was oblidged to take the oath to the King when he came over from his own Country about two years ago, for he was taken on Board of a man of War, and also forceth to it therefore he is willing to take the oath of Neutrality, or else to be confined to some honest Farmer, to work for his wages, and your Petitioner as in Duty bound shall ever pray,

WILLIAM BED.

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*Petition of Prisoners.*

[Petitions, 33: 422.]

To the Honourable the Counsel of Safety of the State of New-York, Now setting at Kingston.

The Petition of the subscribers hereof living in different places in the State of New York, humbly sheweth

That your humble Petitioners have been under confinement for a long time past in the City of Albany and now on Board of the States Prison at this Port and most of them have Families and Farms to take care of, who have been greatly neglected during their Imprisonment. That your Petitioners are in great concern on Account of their Crops, now almost ripe on their different Farms, and nobody to take care of them if their confinement continues, wich undoubtedly must be lost and Destroyed if proper Attention is wanted to the most and greatest Detriment not only to themselves and their Families but also the Common Whealth of the State they live in. Therefore your humble Petitititioners beg leave to intreat the Favour of the Honourable Counsel (as they are the proper Persons from whom they may get a speedy Relief) to open them a way for their Deliverance, or a Proposal how they may get their clearance, and to enjoy the Liberty of seeing their Families. And your Petitioners as in Duty bound shall ever pray,

| | | |
|---|---|---|
| Richard Wragg, | Josiah Dean, | John helmer, |
| Alex$^{r}$ Patterson, | Jacob Scouten, | Duncan Robertson, |
| Jacob Snider, | John Searman, | Thomas Varty, |
| Alex$^{r}$ Robertson, | Edward Armstrong, | Donald Fraser, |
| John M$^{c}$Entier, | James Olmsted, | Archibald M$^{c}$Niell, |
| Henry Ruynon, | Robert Nickolesson, | Daniel Dean, |
| Joseph Tyler, | James Grant, | Israel Orborn Ju$^{r}$ |

On Board of the States Prison at Kingston Port, July 14$^{th}$ 1777.

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*Petition of Robert Coventry.*

[Petitions, 33: 424.]

To the Honourable the Council of safety for the State of New York in Council Convened,

The Petition of Robert Coventry of Claverack in the County of Albany & State of New York, Humbly Sheweth,

That y$^{r}$ petititioner is at present a Prisoner confined in the State Prison at the strand of Kingston for Being thought an Enemy to the American State, That y$^{r}$ petitioner has been a prisoner for about Eight weeks & has never yet received any satisfaction Relative to the Crime for which he may stand charged. That y$^{r}$ petitioner is willing & Ready to take the Oath of Allegiance and to comply with any other propositions which this Honourable Council may please to propose to y$^{r}$ petitioner touching the same, That y$^{r}$ petitioner has a Crop of Grain which is daily suffering as the harvest is at hand to the great Distress of y$^{r}$ petitioner, That y$^{r}$ petitioner has always heretofore behaved himself as a good subject to the State Doing his Duty at all times when called upon which can be Testify'd by the officers of the Company to which y$^{r}$ petitioner belongs & is Ready & willing to give all Reasonable satisfaction in order to Testify his Fidelity as also to give good sufficient security if required for his Behaviour. Your petitioner therefore humbly prays that this Honourable Council would be favourably pleas'd to take the premises under their consideration so as that y$^{r}$ petitioner may be Relieved from his confinement or such other Relief as to this Honourable Council shall seem meet And your petitioner shall ever pray

State Prison, Strand, July 14$^{th}$ 1777. ROBERT COVENTRY.

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*Petition of Andreas Ten Eyck and others.*

[Petitions, 33: 426.]

To the Honourable the Council of Safety for the State of New York now setting at Kingston.

The Petition of Andreas Ten Eyck and Israel Osbourn, Sen^r and Israel Osborn, Jun^r all in Albany County, humble Sheweth,

That your Petitioners have for a long time past been confined in Albany Goal, and now on board the Prison of the State of New York at Kingston Harbour, And as their Families during this long and miserable confinement have been greatly Distressed and their Estates much hurted, Therefore your humble Petitioners takes this liberty to beg the favour of the Honourable Council of Safety to grant them a hearing before them as soon as it may be possible so that they and their Families might have some Relief in their Distressed situation if they could obtain their Liberty, And your Petitioners as in duty bound shall for ever pray.

* ANDREAS TEN EYCK,
† ISRAEL OSBORN,
‡ ISRAEL OSBORN, Jn^r

On Board of the States Prison at Kingston Port, July 14^th 1777.

(Indorsed.) Ordered to lie on the table.

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*Petition of Edward B. Coventry.*

[Petitions, 33: 428.]

To the Honourable the Council of Safety for the State of New York, In Council Convened.

The Petition of Edward Coventry of Claverack in the County of Albany, and State of New York, Humbly Sheweth,

That y^r petitioner is at present a Prisoner confined in the State Prison at the Strand of Kingston, for Being thought unfriendly to the welfare of the State, That y^r petitioner hath been a Prisoner about Eight weeks and hath not as yet had a hearing, neither heard nor knows the crime for which he stands charged, And humbly conceives it extreamly hard to be confined so long without knowing the crime for which he stands charged, y^r petitioner therefore Relying on that tenderness and Humanity which this Honourable Council Daily administers towards those unhappy sufferers whose Lot it is to be a prisoner hath been led to offer this his petition hopeing it may be heard. That y^r petitioner has a wife and Family and a crop of Grain, and as Harvest is at hand it must naturally go to Ruin if not timely taken care off to the great Distress of y^r petitioner and Family. That y^r petitioner hath always heretofore Behaved himself as a good subject to the State, Being & Doing his Duty at all times when call'd upon, and is Ready and willing to take the oath of allegiance in order further to Testify his fidelity to the State. Y^r petitioner therefore most humbly prays that this Honourable Council would be favourably pleased to take the premises under their most serious consideration, so as that y^r petitioner may have a hearing and Discharged from his confinement or such Relief as to this Honourable Council shall seem meet. And y^r petitioner shall ever pray.

EW^D B. COVENTRY.

State Prison at the Strand, July 14^th 1777.

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* Notoriously disaffected—concerned in the late conspiracy, but the proof not clear enough.

† Has been tried by gen^l C^t Martial for treasonable practices ag^t the State.

‡ Notoriously disaffected—concerned in the late conspiracy—no suffic^t Proof.



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*Petition of Walter Carpenter and John Van Dekar.*

[Petitions, 33: 430.]

To the Honourable the Council of Safety for the State of New York, In Council convened.

The Petition of Walter Carpenter of Schodack and John Van Dekar of Claverack of the County of Albany and State of New York, Humbly Sheweth,

That y^r petitioners is at present Prisoners confined in the State Prison at the Strand of Kingston, for Being thought Enemies to the State. That y^r petitioners has been confined about Eight weeks & hath not as yet had any satisfaction Relative to their crimes for which they are Imprisoned. That y^r petitioners is Ready & willing should they be permitted to take the oaths of Allegiance & to comply with any propositions which this Honourable Council may please to propose for the same. That y^r petitioners have always heretofore Behaved themselves as good subjects Doing their Duty at all times when call'd upon and is Ready to give all Reasonable satisfaction for to Testify their fidelity & Behaviour. That y^r petitioners have considerable crops of grain, which is Daily suffering as the Harvest is at hand, Especially as y^r petitioners has no other help but themselves to Gather in their said Grain to the great Distress of y^r petitioners. Y^r petitioners therefore humbly prays that this Honourable Council would be favourably pleas'd In tender consideration of their grain to take the premises under their serious consideration so as that y^r petitioners may be Reliev'd from their confinement & return home or such other Relief as to this Honourable Council shall seem meet. And y^r petitioners shall ever pray.

* WALTER CARPENTER,
† JOHN VEN CAR.

---

*Return of 1^st Ulster County Regiment.*

[Miscel. Pap. 38: 109.]

KINGSTON, July 17^th 1777.

Return of the number of Men, Arms and Ammunition in the 1^st Reg^t of Militia in Ulster County. JONATHAN ELMENDORPH, *Lieut Col^o*

| Captains Names. | Number of Men, Officers Exclusive. | Supplied w^t Arms. | Supplied w^t Ammunition. | In want of Arms. | In want of Ammunition. |
|---|---|---|---|---|---|
| John Elmendorph, | 32 | 32 | .... | .... | 32 |
| Evert Bogardus, | 41 | 41 | .... | .... | 41 |
| Philip Swart, | 54 | 54 | .... | .... | 54 |
| Lucus Dewitt, | 40 | 35 | .... | 5 | 40 |
| Edward Witaker, | 29 | 28 | 11 | 1 | 18 |
| Lieut. Petrus Osterhout, | 35 | 35 | .... | .... | 35 |
| Gerr^t Hardenbergh, | 34 | 30 | .... | 4 | 34 |
| Math^w Dederick, | 28 | 28 | .... | .... | 28 |
| Total, | 293 | 282 | 11 | 10 | 282 |

JONATHAN ELMENDORPH.

* Notoriously disaffected.

† Notoriously disaffected and concerned in the late conspiracy — tried but proof insuffic^t to convict.

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*Petition of James Robinson.*

[Petitions, 33: 410.]

To the Honorable the Council of Safety for the State of New York.

The Petition of James Robison a Prisoner of War, Humbly Sheweth,

That your Petitioner has continued in confinement until his apparel, linen &c are worn out and unless what he has borrowed, has nothing to cover his nakedness. He requests of your Honours to be forthwith exchanged, supplied with Necessaries or set at large, that by his labour he may earn money to purchase clothing. May it therefore please your honours to take what is here represented into your most serious consideration and grant him such relief as unto your honours shall seem meet & your Petitioner as in Duty bound shall ever pray.

KINGSTON GOAL, July the 18th 1777. JAMES ROBISON.

---

*Petition of William McGinnis.*

[Petitions, 33: 412.]

KINGSTON GOAL, July 18th 1777.

To the Honble the Council of Safety State of New York.

GENR I William McGinnis of Marbletown in this State, Humbly beg Leave to represent to your Honble Board that tho' I have been under sentence of Death and am still confined in Kingston Goal yet my desire of returning home to my family is not with any Design of saying or doing anything against the Interest of the American States, but rather to express my regret for anything I have formerly done which might render my conduct Exceptionable, and for the future remain peaceably with my family whose situation in my absence, Especialy in this season of the year, is very Distressing and requests you will take into your Humane consideration, and grant him such relief as in wisdom you shall see meet, which is Humbly pray'd by

WILLIAM McGINNISS.

---

*Petition in favor of Abraham Middagh.*

[Petitions, 33: 402.]

To the Honorable the Council of Safety for the State of New York, sitting at Kingston in Ulster County.

Whereas Abraham Middagh of Marbletown in the County and State aforesaid has been overtaken in a fault for which he is now under confinement in the Common Goal in Kingston aforesaid, and inasmuch as we the subscribers are convinced that he is sorry for his offence, and that if he may be allowed to return to his family, he would be a good subject of the State as he has always (before the present mishap) appeared to be & had served faithfully as a Soldier in our service the last year. We therefore upon these principles humbly recommend him to your favourable attention.

| | | |
|---|---|---|
| Johannes Middagh, | Moses Pattison, | John Beaty, Junr, |
| Johanis Bogart, | Isaac Roosa, | Andrew Davis, |
| James Connor, | Sam. Framer, | Frederick Shurter, |
| Hugh Ross, | Marten middagh, | Casparus Shurter |
| Michel Pattison, | John Connor, | Cornelius tak, |
| Nathaniel Cantine, | Robert Beaty, | Johannis Rosa, |
| Cornelius Brink, | John Beaty, | Alexander McGinnis. |

MARBLETOWN, July 18th 1777.

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*Return of Colonel David Sutherland's Regiment.*

[Miscel. Pap. 38: 107.]

DUTCHES COUNTY, STATE OF NEW YORK, July the 19, 1777.

| Commishen Officers in eych Company. | | the num^r of Solges. | Guns. | Powder, lbs. | Lead, lbs. |
|---|---|---|---|---|---|
| In Cap^t Barkers, | 4 | 67 | 42 | 42 | 80 |
| Capt. Husted, | 4 | 69 | 45 | 25 | 55 |
| Cap^t Sotherland, | 4 | 70 | 35 | 10 | 80 |
| Capt. Humfrey, | 4 | 60 | 25 | 12 | 60 |
| Capt. Smith, | 3 | 53 | 35 | 22 | 80 |
| Capt. Chamberlan, | 3 | 55 | 35 | 12 | 80 |
| Capt. Platt, | 4 | 50 | 12 | 7 | 80 |
| Capt. Waller, | 3 | 50 | 12 | 10 | 80 |
| Capt. Waters, | 3 | 56 | 49 | 20 | 60 |
| | 32 | 520 | 290 | 160 | 655 |

this jentelmen is a true state of my Redgement accordin to the best of my Knoldge.

With due Respect I am Jentleman Your very Humble Sv^t

DAVID SOTHERLAND, *Col.*

---

*Certificate in favor of Richard Oakley.*

[Petitions, 33: 408.]

We the subscribers living in Marbletown Ulster County desire to represent to the Hon^ble the Council of Safety for the State of New York, That the character and conduct of Richard Oakley Now Confined in Kingston Goal has always been unexceptionable while Living among us, that he has behaved himself as a useful member of Society, an honest man and friend to his Neighbours till that unhappy affair which occasioned his confinement, and we recommend him as a real object of compassion, as his family are in great Distress during his absence.

Alexander M^cGinnis,
Hugh Ross,
William Patteson,
Michael Patteson,
gisber G his V mark L Vanlceven,
geret arse Van wegenen,
July 21^st 1777.

Jacob Van Wagenen,+
Tunis rosa,
Solomon Vandemark,
Nathaniel Cantine,
Cornelus Tack,
John Constable,
Steaven Nottingham,

William Pick,
Salomon terwelger,
Dirk Bih,
Jonas Smith,
John Constapel,
Peter Keator, J^r
Jacob Keator.

---

*Petition of Ship Carpenters.*

[Petitions, 33: 398.]

POUGHKEEPSIE, 22^d July 1777.

To the Honorable the Council of Safety for the State of New York.

The Petition of the Ship Carpenters, Humbly Sheweth

That your Petitioners in consequence of Recommendation from the late Honorable Convention of this State, did enter into the Service and went to Lake George to Build vessels for the Publick Service that by your Petitioners contract their Tools were not to be detained from them without their consent, as by the said Contract under the hands and seals of your petitioners and the hand and seal of Morgan

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Lewis Esq^r Contractor on the part of the publick service does appear. That your Petitioners were Discharged at Fort Edward and that in direct violation of said Contract their Tools were detained from them that your Petitioners in consequence of said Discharge are returned home and are now in a situation very disagreeable, being unable to support themselves and families, for the want of Tools to work with and none to be procured in the Stores. Your Petioners as subjects of the State of New York beg the Honourable Council to take their case into consideration, and grant them Relief in the premises as also to grant them the Benefit of a Resolution of the late Honourable Convention in the month of March last, wherein 'Tis declared That, The Convention or the Future Legislature of this State would always find employment for the Ship Carpenters of the State. That Lancaster Burling one of the Master Builders who would have Contracted and gone to the Northward, was at the Instance of the said Honorable Convention induced to remain at home in expectation of Employ from them, in consequence of which he has been out of Employ and pay since the latter end of March last. Your Petitioners humbly pray the Honorable Council to take their petition into consideration, and grant them Relief in the premises as early as possible. And your Petitioners as in duty Bound shall ever pray.

We are in every Respect your most Obd^t humb^le Servant to Command the Ship Carpenters of the State of New York at poughkeepsie

by desire of and to act for the whole,

LANCASTER BURLING,
STEPHEN SEAMAN,
ALEX^DR LITCH MILLER.

---

*Report on John Romer.*

[Petitions, 33: 384.]

COUXSAKEY, July the 23^th 1777.

We the Commitee have nothing but suspition against John Romer only he was from hom som time and we heard he was seen in York but never had any proff found against him to this day as witness my hand.

PHILIP CONNYNE, *Chairman.*

---

*Pierre Van Cortlandt to General Clinton.*

[Miscel. Pap. 38: 105.]

KINGSTON, July 24^th 1777.

SIR: I am directed by an order of the Council of Safety of the 21^st Instant, to transmit you a Copy of their Resolution, requesting you to take the Oaths of Office, & enter on the discharge of the Duties of Governor.

The Council do not wish to hold the Reins of Government longer than the Safety & advantages of this State, & of the public Service in general, may render it necessary.

I am with great esteem Sir, your most Obedient humble Serv^t

GEORGE CLINTON, Esq^r

---

*Bond of Nicholas Koons.*

[Miscel. Pap. 38: 111.]

Know all men by these presents that I Nicholas Koons of the Manor Livingston am held & firmly bound unto the Treasurer of the State of New York in the sum of one hundred Pounds for the paym^t whereof I do bind myself, my Heirs, Executors & administrators firmly by these presents. Sealed with my Seal dated the 24^th day of July, 1777.

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The Condition of the above Obligation is such that if the said Nicholas Koons shall & do attend whenever he shall be required so to do by proper authority & give Evidence on Oath respecting Christian Croat of the s^d Manor then this Obligation to be Void, else to remain in full force.

Sealed & delivered in presence of NICHOLAS KUNTZ.

ROB^T BENSON.

The word (Christian) interlined & the word (Nicholas) erased before the Execution hereof.

---

*Petition of John B. Dumond.*

[Petitions, 33: 396.]

To the Honourable the Council of Safety for the State of New York, In Council convened.

The Petition of John Baptist Dumond of Great Umboct County of Albany, and State of New York, Humbly Sheweth,

That y^r Petitioner is at present a prisoner, and hath Been for a considerable time confined in Kingston, That y^r petitioner has a considerable crop of grain & Hay to gett in, and has but little help to gather in the same, And as it is now Harvest it is Daily suffering for want of sufficient help and by reason of y^r petitioners confinement to the Great Distress & Loss of y^r petitioner & Family as well as Loss to the State, That y^r petitioner gratefully acknowledges the goodness & Lenity shown towards him by this Honourable Council In his Enlargement, That y^r petitioner relying on that tenderness & Goodness which this Honourable Council Daily Administers: Hath presumed and with submission once more to offer this his petition, hopeing this Honourable Council will vouchsafe to hear & Grant the prayer of the same, y^r petitioner therefore Humbly prays that this Honourable Council would (In consideration of his Family as well as his grain) be favourably pleased to take the premises under their consideration so as that y^r petitioner may be permitted on a furlough for fourteen days to go home & Gather in his Harvest as he will give good security for his return whenever this Honourable Council shall think fit to demand the same or give such other time as to this Honourable Council shall seem meet, And y^r petitioner shall ever pray,

KINGSTON, July 24^th 1777. JAN BATYS B. DUMOND.

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*Lieutenant-Colonel Drake to Colonel Lasher.*

[Miscel. Pap. 36: 769.]

CORTLING MANOR, July 24 Day, 1777.

S^r Be pleased to Deliver unto Isaac Norton my Quartermaster 300 lbs. of Cartriges or powder, if powder then 900 lb of Boales, for my Rigment which is verrey onporuided and 1000 flintes and Charge me with the Same from

Yours to sarve,

GILB^T DRAKE, *Lt Coll.*

To Corll LASHER, Store Keeper for the Staite of New York at Fish Kills.

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*Certificate for Thomas Kelly*

[Miscel. Pap. 38: 99.]

Lancaster, in Pennsylvania, ss.

I Do hereby certify, that Thomas Kelly hath voluntarily taken and subscribed the Oath Affirmation of Allegiance and Fidelity, as directed by an Act of General Assembly of Pennsylvania, passed the 13^th Day of June, A. D. 1777. Witness my Hand and Seal the 25^th Day of July A. D. 1777. A. HUBLEY

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*Petition of Nicolaus Kilmer and others.*

[Petitions, 33: 374.]

MANOR LIVINGSTON IN THE STATE OF NEW YORK, July 25th 1777.

To the Honourable Council of Safty in Esopus.

GENTLEMEN: And may it please your honours, Your humble Petitioners beg Leave to address themselves to you in the Behalf of Christopher Groat Now confined in the Jail of Esopus, humbly beging that you will take it into your most serious consideration the state of his poor wife and children, Nobody to help or look after them, your Humble Petitioners would beg Leave to acquaint you farther That she could always subsist untill Now, that her son who Lived at home is now called and gone in the service and Nobody under the Heavens to look after the Harvest, That if your Honours Does not see cause to let the poor man come home, That it is your humble Petitioners opinion that his Harvest that God sent must rot on the Ground, so hoping that you will prevent that, we beg Leave to subscribe ourselves your very Humble Petitioners &c &c

| | | |
|---|---|---|
| Peter Butler, | +Abraham Shute, | Nicolause Kilmer, |
| Killian Shut, | +Gideon Swedenburgh, | Solomon Shut, |
| Abraham Frazer, | G B Gabriel Brusie, | William Kilmer. |

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*Petition of John E. Van Allen.*

[Petitions, 33: 400.]

To the Honourable the President and members of the Council of Safety for the State of New York now convened at Kingston &c

The Petition of John E. Van Alen Humbly Sheweth,

That your Petitioner after having been confined in the County Goal of the County of Albany upwards of three months acquainted this Council with his desire of removing into the State of Connecticut, and requested that a reasonable time might be allowed him to settle his affairs in this State, and then be permitted to remove, upon which said request the Council were pleased to discharge him from confinement on the 27th of June last, and allowed him from that day to the first day of August next to settle his said Business in this State, That since he has been liberated the Militia have been called into service in which many persons with whom his business lays have gone, through which means he has been able to do but little business, and finds the time allowed him too short to settle his affairs in this State, your petitioner therefore humbly prays that his time for that purpose may be further extended to the first day of September next, and that his Parole be either taken here or that the Committee of the City of Albany be directed to take another Bond of him with a sufficient surety on the like conditions with the one under which he now lays. And your Petitioner shall ever pray.

KINGSTON, 25th July, 1777. JOHN E. VAN ALEN.

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*Bond of John L. Van Allen and John S. Van Alstyne.*

[Miscel. Pap. 38: 93.]

Know all Men by these Presents that We John L. Van Aelen & John S. Van Alstyne of Kinderhook in the County of Albany are held & firmly Bound unto the Treasurer of the State of New York in the Sum of two hundred Pounds lawful Money of New York for the paymt whereof on or before the tenth day of August next we bind ourselves, our Heirs, Executors & Administrators, Jointly & severally firmly by these presents—Sealed with our Seals dated the twenty Sixth day of July 1777.

The Condition of the above obligation is such that if the above bounden John L. Van Aelen, & John S. Van Alstyn, shall & do within Six Days from the Date hereof appear before the Committee of Albany & give Evidence on Oath touching

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and concerning such Persons at & about Kinderhook as are suspected of being guilty of inimical Practices against the State then the s^d Obligation to be void else to remain in full force.

JOHN L. VAN ALEN, [L. S.]
JOHN S. VAN ALSTYNE, [L. S.]

Sealed & delivered in presence of
ROB^T BENSON.

---

*Bond of John Baptist Dumond.*

[Miscel. Pap. 38: 91.]

Know all Men by these Presents that we John Baptist Dumont and Anthony Dumont are held & firmly bound unto the Treasurer of the State of New York in the Sum of One hundred Pounds lawfull Money of the said State for the paym^t whereof on or before the fourteenth Day of August next we bind ourselves, our Heirs, Executors & Administrators jointly & severally firmly by these Presents. Sealed with our Seals dated the 26^th Day of July, 1777.

The Condition of the above Obligation is such that if the above bounden John Baptist Dumont shall & do appear at the Court House in Kingston within fourteen Days from the Date hereof & then & there surrender himself prisoner to the Sheriff or Goaler of the County of Ulster, then the above obligation to be void else to remain in full force.

JOHN B. DUMOND, [L. S.]
ANTHONEE DUMOND, [L. S.]

Sealed & Delivered in the presence of
ROB. BENSON.

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*Refusal of Anthony Hoffman to be Third Judge of Dutchess County.*

[Miscel. Pap. 37: 136.]

To the Council of Safety of the State of New York.

I Herman Hoffman within named do humbly return that in obedience to the within writ I attended in order To administer To Anthony Hoffman Esqr the oaths within mentioned and that he did not accept the office of third Judge of this County and did accordingly refuse to take and subscribe the said Oaths.

DUTCHES COUNTY, July 28^th 1777. HERMAN HOFFMAN.

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*Extract of a Letter from Albany dated 28^th July.*

[Miscel. Pap. 39: 405.]

"Last Friday arrived here part of Gen^l Glover's Brigade, the remainder have arrived since together with Gen^l Lincoln—This will give new life to our Army to the northward—We have just had a brush with the Enemy at Fort Edward in which L^t Tobias Van Veghten was most inhumanly butcher'd and Scalped, two Serjeants and two privates were likewise killed and Scalped—one of the latter had both his hands cut off. But what

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*Petition of Richard Wragg.*

[Petitions, 33: 390.]

To the Honourable the Counsel of Safety of the State of New York, now Setting at Kingston.

The Petition of Richard Wragg of Saratoga in the County of Albany Humbly Sheweth,

That your Petitioner has been in confinement almost three Months first in Albany and now on Board of a vessel at this place to the greatest Detriment not only to himself but also to his helpless Family. That your petitioner has a wife who four

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years ago lost the use of her Limbs in the Child bed also unable to help herself or seven poor innocent children of whom the oldest is only twelve years of age and has nobody to take care of them, so that they certainly must perish and every thing go to Destruction, if your Petitioner cant get his freedom from this confinement and leave to go home to subsist his poor family. that your Petitioners interest is in the Country, and that he is willing to defend and vindicate the cause of this Country, as much as layes in his Power. May it therefore please the honourable Counsel of Safety, to take your humble Petitioners and his Distressed Family's lamentable circumstances in your serious consideration, and grant him a hearing before the Honourable Counsel that he may by that means obtain his liberty And your Petitioner as in Duty bound shall ever pray.

RICHARD WRAGG.

On Board of the States Prison, Kingston Harbour, July 28th 1777.

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*Petition of Hendrick Clumb.*

[Petitions, 33: 386.]

To the Honourable the Counsel of Safety for the State of New York now setting at Kingston.

The Petition of Hendrick Clumb in the Manor of Ranselearswycke Albany County, Humbly Sheweth.

That your petitioner has been confined in Albany Goal for some time, and now on board of one of the vessels at this place, to the great hurt and Detriment of his family at home. That your petitioner has a large family to maintain, his poor and Distressed wife and children, his impotent Father and Mother also a sister, and as his Farms are at some Distance from one to another he runs a great Risk all his Crops being lost entirely. That your petitioner is werry willing either to give all what he has in this World for security of his future good behaviour to the Cause of this Country, or Else to take the oath of Alligiance. May it therefore please the Honourable Council of Safety to take his pitifull and lamentable situation in your serious consideration and grant him some Relief or a hearing before the Honourable Council, so that he may obtain his freedom to the great Benefit both to him and his most ruined Family. And your Petitioner as in duty bound shall pray.

HENDRICK CLUMB.

On Board the States Prison at Kingston Harbour, July 29th 1777.

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*Petition of Joshua Haight and other Quakers.*

[Miscel. Pap. 38: 78.]

To the Council Now Setting at Esopus.

This Petition Sheweth that we the Subscribers (being of the People called Quakers) having been detained on board the fleet Prison about thirty five days for attending our yearly meeting on Long Island which in our apprehension is a case Different to that of crossing the Lines for Protection which was not our Business Neither had we any other View but in Simplicity to worship God and Transact the weighty affairs of our Society as usual and as we cannot but think that it would be beneficial to Both us and the Publick that we were at home in our business at this Season of the year being harvest and hay time therefore we Desire you would be Plased to Consider our Innocency and the urgency of our being in our harvest and Grant us Liberty to Return to our families while called for.

JOSHUA HAIGHT,
ZOPHAR GREEN,
BENJMIN JACOKX,
JONATHAN DEAN,
TRIPP MOSHER.

Fleet Prison Sopes Creek the 29th of the 7th Month, 1777.



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Colonel Sutherland to Council of Safety.

[Petitions, 33: 348.]

DUCHES COUNTY July y^e 30 day 1777.

Gentlemen of the Counsal of Safty at Kings Town.

I being wall a Quanted with Benjamin Jacues & Joshuay Haight & sum a Quanted with the Rest of the men that call themselves frends that is a Board of the Prison Ships & as thay was a Pinted by the Quartely meeting to Repsent them at the yearly meating at Longiland you may depend upan this that thay are sum of thar prinsabal man & as for my part I dont think thay had any ill intent aganst our States & if you should see fit to Dis Charg them for any Time or untill furder orders as they live in my Ridgment I will see them forth Coming whenever you shall Call for them.

with Respect I am Your Ver Humbel Servent

DAVID SUTHERLAND, *Coll.*

Melanton Smith to Mess^rs Benson and Cantine.

[Petitions, 33: 352.]

GENTLEMEN: Frequent application has been made to me in favour of Benjamin Jeacocks and the other Quakers confined on Board the vessels at Esopus. From what I can learn of the characters of these Persons, I think what they have suffered is sufficient & that they might safely be discharged. I have wrote this at the solicitation of their Friends. If you join with me in opinion, I would propose that you write to the Council of Safety on the subject.

I am Gent^s Your hum^l Serv,

July 30^th 1777. MELANCTON SMITH.

SIR—I perfectly concur with Mr. Smith in the propriety of discharging the Quakers from confinement, it would not, however, be improper in my opinion that previous to their enlargement they should make affirmation of allegiance to their State.

I am Sir Yours &^c

Mr. BENSON. PETER CANTINE.

[Petitions, 33: 350.]

The fifth of the Eight, 1777.

These to the Councel of Safty for the State of New York, Now Setting at Kingston we the humble purtisioners take the Liberty to adress the House in behalfe of the friends now in confinement to wit Joshua Haight Benjamin Jacoke Zopher Green, Jonathan Dean, Tripp Mosher & Paul Upton, which went to the yearly meeting on Long iland as useal in time of peace to carry up the acounts from our quarterly meetings which we the Subscribers humbely Desires should have their Inlargement. However we submit it hoping these broken hints may have a faverable Reception and friends be more carefull for the futer.

ISRAEL GREEN,
ISRAEL DEUEL.

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*Trial of Edmond Palmer.*

[Miscel. Pap. 38: 82.]

P. M. July 29^th 1777.

Proceedings of the Court Martial held at Peek's kill, relative to the Tryal of Edmund Palmer.

At a General Court Martial held at Peeks kill by order of the Hon^ble Major Gen^l Putnam on the 22^nd Day of July A. D. 1777.

Col. SHEPARD, President.

| | |
|---|---|
| Lt. Col. Olney, | Lt. Sanford, |
| Major Ward, | Lt. Lewis, |
| Capt^n Sylvan^s Brown, | Lt. Page, |
| Capt^n Stephen Brown, | Lt. Angel, |
| Capt^n Albert, | Lt. Cleaveland, |
| Capt^n Allen, | Lt. Carpenter, *Members* |

Phillip Pell Jun^r Dep^ty Judge Advocate.

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Edmond Palmer was brot before the Court for tryal upon the Charges of plundering, Robbing, and carrying off the Cattle, Goods, &c. from the well-effected Inhabitants and for being a Spy from the Enemy.

The Prisoner pleads not Guilty.

Richard Wyllip being Sworn Says about Six or Seven Weeks ago: the prisoner Came with some others to his house in the night; they Called at the Door. Witness got up and opened the Door and Lighted a candle, the prisoner and one other came in. The Witness asked the prisoner what he wanted, he answered that he wanted to search the House, then he asked him what he wanted to search the House for. The prisoner Reply^d you are a bad man, and I understand you harbour Torys here. The prisoner and the other man then went all over the House together and searched it—believes they took nothing—the prisoner then told the Witness he must go to the White Plains with him, and they took hold of the Witness and were Carrying him out of the house, and when they got him to the Road the prisoner beat him (the Witness) verry much and caused the blood to run greatly—the Witness having nothing on but his Shirt and Breeches. The reason the prisoner gave for beating the Witness was because he was a Tory.

Titus Mead, being sworn, says that on the 2^d of July Ins^t on his way from horse neck to Peek's kill, he was stop'^d on the Road near Croton River by three men, viz: Thomas Gibson, Peter Wood, and Jeremiah Merritt, who ordered him to deliver up his (the Witness's) Pistols, Letters and Papers &c: and Demanded his Pocket Book, which articles the Witness delivered up, each of them having a Gun in his hand. They then Bound the Witness and took him up to a Mountain about a Quarter of a Mile from the Road. When they got to the mountain, the Witness then saw the Pris'ner arm'd with another Person—Gibson—Threatned to hang the Witness—that the men by whom he was taken, took a pair of Pistols, between 50 & 70 Dollars, and a Letter from Col. Mead to Gen^l Putnam.

The Witness saw one Baker in the Mountain under the custody of the prisoner upon Tryal—and Baker informed the Witness that he was taken Prisoner by them. That the Prisoner now upon Tryal seemed to be taking the Buckles out of Baker's shoes and said it was not fit that he should wear such Buckles. They finally let the Witness go towards night but kept the articles above mentioned.

Henry Strang being Sworn, says, he being at a blacksmith's Shop about a fortnight or three weeks ago, the prisoner and one with him Came into the Shop; upon the Witness attempting to get away the prisoner told him to Stand—and the prisoner and the man with him tied him (the Witness). The Witness resisted a little upon their tying him—on which Palmer the prisoner Pricked him with a Bayonet—the Witness then went along with them. After getting about a Quarter of a mile the Witness desired one Griffin as they pass^d by him to send to his Family and acquaint them that he was taken—upon which the Prisoner told the Witness that if he said anything more about it he would Run him through, and pricked him again with his Bayonet. Afterwards as they pass^d by John Tomkins's the Women hallow'd out and ask'd who they had got there. Palmer answered one of the Rebel Committee—they proceeded with the Witness over Croton River into the Woods, that Palmer the present Prisoner pricked him ten or twelve times with his Bayonet and occationed him to Bleed in many spots. Palmer demanded and took the Witness's Pocket Book from him, with between 50 & 60 Dollars in it, which he Return'd before the Witness came away—that they took the Witness in the afternoon and Let him go about Eleven o'clock in the night, upon the Witness's Promissing not to molest or Injure the Inhabitants about the place that the Witness was taken at; the Prisoner said he took him because he was one of the Reble Committee. The prisoner and the other man were both armed.

John M^cKeil being Sworn—says he lives between Crombpond and Croton Bridge, that in the night when the Witness was in his Bed, his Brother came into the house and took down a Gun which he handed to Palmer the prisoner, who stood in the Door and received it, the Witness told his Brother that he used him very ill—upon which Palmer steped up and said he used him the Witness very well, also that he had taken Henry Strang, but used him well and let him go; and that he

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(Strang) had distressed the Inhabitants, and if he caught him again he'd be damn'd if he did not kill him. The Prisoner Palmer also said that he understood they intended to burn his Mother's House, but if they did he swore he would burn all Crompond.

The Prisoner in his Defence, says he was properly authorized to do what he had done, by Orders from Gov^r Tryon, Gov^r Brown and other General Officers—that he has no commission, but was appointed a Lieutenant in General Orders in Capt. Ross's Comp^y of Col. Patterson's Battallion.

It being clearly proved that the Prisoner was taken near Crompond, above thirty miles from King's Bridge and within our Lines, as a Spy from the Enemy with one Person only, a late Prisoner under sentence of Death, that made his escape from our Guards and that he has been lurking about as a Spy for some Months past. The Court adjudge the prisoner guilty of the whole Charges and sentence him to suffer the Pain of Death.

The Sentence of the Court Martial was approved & Palmer ordered to be hanged on friday the 1^st Aug^st between the hours of nine & Eleven in the morning.

In the mean time I received from Gen^l Brown the following extraordinary letter, Viz.

"By his Excellency Brigd^r Gen^l Brown, &c. &c. &c.

"I do hereby certify that Edmund Palmer has been a Commission^d Officer in my Brigade, and that he has always behaved well & Consistent with the Character of Gentleman, during his stay with my Corps.

"Given under my hand & Seal & Arms, at Camp, Kingsbridge, July 21^st 1777.

"MUMFORD BROWN, *Brig^r Gen^l*"

Although I commiserate the unhappy Situation of those deluded people who, through the force of Infatuation have been led to leave their Country, their possessions and nearest Connections, to join our cruel & unnatural Enemies, who have avowed eternal war with the rights of humanity; yet considering that the Sweets of liberty, the rights and emoluments of civil Society, are the most Important & Sublime of all earthly enjoyments; and that they derive their perfection & Security (under God) from the regular & uninterrupted administration, of a rational System of civil government; and to preserve & perpetuate the felicities of Society, to support & vindicate the rights of civil government against foreign force & invasion; the military power was originally erected; and that, for this purpose the American Armies now waive their banners in the field—& myself am in arms. The military, I consider as subservient to & attendant upon the civil: invested with competent powers for its own executive Government, & to preserve its own existence against all open & Seecret enemies, of the latter denomination are all Spies, and thereby answer the end of its Institution by guarding its own safety, is enabled to defend the Community against hostile Invaders.

These Considerations, with the example of all ages induce me to believe that Spies are the most detestable of all Enimies, & ought to be speedily Executed. tho' not without a Trial & legal Conviction. of this character is Palmer, the unhappy Culprit, & for this, and not for robbery or burglary, which are Crimes Cognisable by the Civil power, do I sentence him—who by Joining himself to the Enemy, & accepting an appointment from them, forfeited all right to the protection & immunities of the government, of which he was a subject.

Gen^l Brown's letter clears every doubt of Palmer's being an Enemy & Contains a Striking Specimen of the Idea our Enemies have of the Character of a Gentleman & of the Conduct that Corresponds therewith.

I wish that all who have any inclination to join our Enemies, from motives of fear, ambition or avarice, would take warning by this Example & avoid the dreadful calamities that will inevitably follow, such vile & treasonable practices.

ISRAEL PUTNAM.

PEEKSKILL, July 27, 1777.

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*Jonathan Slookim to Major Lush.*

[Miscel. Pap. 36: 538.]

FORT MONTGOMERY, 30th July 1777.

To Major STEPHEN LUSH Pay Master Colo Lewis Dubois Regiment.

SIR be pleased to pay unto Capt Jas Rosekrans or his order the Full of my wages on which this shall be your Discharge and you' oblige your very Humble Servant

Witness: SAML DODGE, Senr. JONATHAN SLOOKIM.

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*A Proclamation.*

[Miscel. Pap. 38: 123.]

IN COUNCIL OF SAFETY, FOR THE STATE OF NEW YORK, July 30th 1777.

Whereas his Excelleney George Clinton, Esqr has been duly elected Governor of this State of New York, and hath this Day qualified himself for the Execution of his Office, by taking in this Council, the Oaths required by the Constitution of this State, to enable him to exercise his said Office; this Council doth therefore, hereby, in the Name and by the Authority of the good People of this State, Proclaim and Declare the said George Clinton, Esqr Governor, General and Commander in Chief of all the Militia, and Admiral of the Navy of this State, to whom the good People of this State are to pay all due obedience, according to the Laws and Constitution thereof.

By order of the Council of Safety,

PIERRE VAN CORTLANDT, *President.*

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*Petition of Sergeant Bostock and others.*

[Petitions, 33: 392.]

SOPIS July 30th 1777.

To the jentlemen of the Commitee

wee humbly Pittision to you jentlemen all that you will take it in to consideration that our Constitutions Dis not agree with so close confinement, wee humbly pittision to you jentlemen all for som small Liberty each day to air ourselves Each day & to clean the room therefore we humbly pittision to you jentlemen all that you would take it in to consideration that Wee are verry bad of for want of nessarys therefor wee humbly pittision for some small Allowance of nessarys to eeep ourselves free From vermant wee humbly beg that you jentlemen would allow some weaman to wash for ous for wee are desolate for want of money. wee return you thaneks for the good usage wee have reeeived sinee we been prisoners of War.

THOMAS BOSTOCK, *Serg'* 9th *Regt*
WM RESTON *of* 20 *Regt*
IRA S TROTTER }
JOHN McKY } *of the* 21st *Regt*
JAS DUN }
JOSEPH MACKGUIRE *of* 47th *Regt*
FRANCIS HORSEMAN *of* 53 *Regt*

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*Governor Clinton to Gen' Washington.*

[Miscel. Pap. 36: 580.]

July 31, '77.

DEAR SIR: As the inclosed Copies of sundry Letters which were forwarded to me by the Council of Safety at Kingston together with Extracts of their letters to me accompanying them eontain a Description of the Melancholly situation of our affairs to the Northward with a partieular aeeount of Two small actions between partys of the Enemy near Fort Schuyler and the Militia of Tryon County and part

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of the Garrison of Fort Schuyler I have thought it my duty to transmit the same to your Excellency by a Special Express. In a Letter I had the honor to address to your Excellency on Saturday last, I particularly mentioned how I had disposed of the Militia of this State tho I have reasons to believe from the present unhappy situation of Albany County and the North part of Dutchess County being much infested with the Disaffected neither have been able to do as much as might otherwise have been expected from them. The well disposed Militia of the County of Tryon were at most but few in number, they have behaved with spirit in their late Encounter and tho Victorious from every account they have suffered much and I fear that the Loss of their Bravest Officers in their late action will so dispirit them that unless they can be speedily succoured little more can be expected from them.

It is with pain I repeat my suprize to your Excellency that under these unhappy circumstances of our public affairs in which not only this State more immediately but the whole Continent is eventually so deeply interested we have yet received no Aid from our Northern Army from our Eastern Neighbours nor from any accounts I have been favored with have we the least prospect of any arriving from them in time to be of service. The Militia from Connecticut it is said are ordered to Pecks Kill at one Time at another that they have promised to send a proportion of their Militia there to replace Continental Troops destined to reinforce the Northern Army as will appear from copies of Letters to the Committee of Albany and from Gov^r Trumbul to Gen^l Schuyler now inclosed; but it is a fact Sir that of the 1,500 Militia lately requested by your Excellency from that State and this 500 only were ordered from Connecticut and I have reasons to believe that 4 or 5 Days ago even to the amount of that number were not arrived from Connecticut at Pecks Kill some may however have got in since.

Withholding those Aids which we had a reasonable right to expect from Sister States strikes a sensible Damp on the spirits of our warmest friends in this whilst it encourages our internal Enemies to acts of the most daring Insolence tending to distroy the force of such Exertions as we might otherwise be able (even in our present weak condition) to make ag^t the Common Enemy and in this point of view does a double injury.

As the Council of Safety are induced to believe that my presence in the Northern parts of the State might be of service in raising the spirits of the Militia & as my Brother is now at Fort Montgomery I propose going to Kingston and if it will answer any valuable End proceed to Albany tho I am persuaded I shall not be able to draw after me any considerable force more than are already ordered out for that Quarter. I am &^c

His Excellency Gen^l WASHINGTON.

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*List of Captain Frederick Schoonmaker's Company.*

[Miscel. Pap. 38: 113.]

Cap^t Frederick Schoonmaker,
Lieut. Corn^s Du Boys,
Lieut. Jn^o C. De Witt,
} 15 of July, 1777.

| | | | | | |
|---|---|---|---|---|---|
| Stephen Nottingham, Serjt,.. | July | 15. | Corn^s Sluyter,..... | July | 15. |
| Benj^m Elmendorph, Do, .. | Do | 17. | John C. Low, ..... | Do | 16. |
| Peter Dumondt, Do, .. | Do | 15. | Jn^o Fiely, ..... | Do | 30. |
| Daniel Mouris, Do, .. | Do | 15. | Jacob Clyn,..... | Do | 15. |
| Edward Heermanse, Corp., .. | Do | 15. | John^s Clyn,..... | Do | 15. |
| John Schepmoes, Do, ... | Do | 17. | James Robinson, ..... | Do | 15. |
| Jn^o C. Masten, Do, ... | Do | 15. | Jacob Hardenbergh, ..... | Do | 15. |
| Peter Marius Green, Do, ... | Do | 17. | Abraham Crispel, ..... | Augst | 1. |
| Martinus Schoenmaker, Drummer, ..... | Do | 15. | Jacob Heermanse, ..... | Do | 1. |
| | | | Abraham Heermanse,..... | Do | 1. |
| Abraham Van Steenburgh,... | Do | 17. | Abraham Elmendorph, ..... | Do | 1. |

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|---|---|---|---|---|---|
| Jacob Van Wagenen, | July | 15. | Philip Van Buren, | Augst | 1. |
| Peter Van Wagenen, | Do | 15. | Jacob Marius Green, | Do | 1. |
| Jacobus Brush, Jr., | Do | 15. | Tobias Van Steenbergh, | Do | 1. |
| Abraham Sluyter, | Do | 15. | John Dumondt, Jun., | Do | 1. |
| John P. Dumondt, | Do | 17. | Dirck Van Stienburgh, | Do | 1. |
| Corn$^{s}$ Conway, | Do | 16. | Con$^{s}$ Dumont, | Do | 1. |
| Peter Enderly, | Do | 16. | Solomon Ecker, | Do | 3. |
| Wilhelmus Kiersted, | Do | 22. | Egbert Brinck, | Do | 1. |
| Fredrick Davis, | Do | 26. | Joh$^{s}$ A. De Lametter, | Do | 1. |
| Jn$^{o}$ B. Masten, | Do | 15. | Jn$^{o}$ Hooghteling, | Do | 1. |
| W$^{m}$ Thompson, | Do | 28. | Tobias Swart, | Do | 1. |
| Lowrance Kieser, | Do | 17. | Coenradt C. Elmendorph, | Do | 1. |
| John Freer, | Do | 30. | Jacob Du Boys, | Do | 1. |
| Matthews Steinbergh, | Do | 29. | Abraham Van Gaasbeek, | Do | 1. |
| Jno. Wittaker, | Do | 17. | Petrus Bogardus, | Do | 1. |
| Jacob I. De Witt, | Do | 17. | Abraham Low, | Do | 1. |
| John J. De Witt, | Do | 17. | Sylvester Marius Green, | Do | 1. |
| Jn$^{o}$ G. Krom, | Do | 31. | Corn$^{s}$ B. Masten, | Do | 1. |
| Henry Oosterhoudt, | Do | 31. | Jn$^{o}$ D. Lametter, | Do | 1. |
| Benj$^{m}$ Schoonmaker, | Do | 30. | Jn$^{o}$ Haasbrock, Jun$^{r}$, | Do | 1. |
| Joachim Depuy, | Do | 31. | Jn$^{o}$ F. Heaton, | Do | 1. |
| Con$^{s}$ Cool, | Do | 26. | Corn$^{s}$ Low, | Do | 1. |
| Thomas Hooghteling, | Do | 17. | Abraham Vankeuren, | Do | 1. |
| Peter Freer, | Do | 16. | Jacobus Besimer, | Do | 1. |
| Jacob Roosa, | Do | 17. | William Scepmoes, | Do | 2. |
| Coenradt W. Elmendorph, | Do | 17. | Fredrick Merkil, | Do | 2. |
| Tjerck Van Keuren, | Do | 17. | Henry P. Oosterhoudt, | Do | 2. |

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### *Examination of Thomas Williamson.*

[Miscel. Pap. 39: 239.]

The Examination of Thomas Williamson who saith that about the Last of March he went to New York and Stayd three Days in Town, and went to Kingsbridge and there inlisted under Capt Bridgwater and laid at Kingsbridge & left it the 10$^{th}$ or 12$^{th}$ of July Last. That one Mountfort Brown, Governour of the Boheme Island, was the General of that Brigade, and they was agoing to the Wes. inda and ask Leave for going home to se his family, in order that he might Come of to take the Benefit of the proclamation, and was taken.

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### *Petition of Alexander Crukshank.*

[Petitions, 33: 462.]

To the Honourable the Council of Safety.

The Petition of Alex$^{r}$ Crukshank Humbly Sheweth,

That your Petitioner has now been in confinement for the space of nineteen weeks to the great detriment of himself and family, That the little property he has got he looks on at present in an unsafe situation, so that he humbly Begs that the Honourable House would be pleased to grant him the Liberty of going to Albany, his place of abode, for Two or three days, to endeavour to secure or remove his property to some place of safety. Capt$^{n}$ Elias Horsebroke promises to accompany your Petitioner to Albany and be his security to return within any limited time your Honours may appoint. Your Petitioner is hopefull the Honourable House will grant his Request and as in Duty bound shall ever pray.

ALEX$^{R}$ CRUKSHANK.

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*Pardon of Andries Keyser.*

[Miscel. Pap. 37: 1.]

To all to whom these Presents shall come.

I Pierre Van Cortlandt Esquire, President of the Council of Safety for the State of New York send Greeting.

Whereas Andries Keyser an inhabitant of this State was duly convicted before a court martial appointed in pursuance of and authorized by certain Resolutions and Regulations made and passed by the late convention of this state, of levying war against the state of New York, with being adherent to the King of Great Britian and with being an enlisted soldier in the service of the King of Great Britian when owing allegiance to the state of New York and was thereupon adjudged to suffer the pains and penalties of Death by being hanged by the neck until he is Dead, which sentence was confirmed by the said convention.

And whereas this Council being (thereunto fully authorized by said convention) willing to mitigate the rigour of justice and extend mercy to the said Andries Keyser, have resolved that he be pardoned of the crimes whereof he stands convicted and the penalties adjudged thereon in hope his future conduct will attone for his past crimes and have authorised me the said president in the name and by the said council to issue such pardon as aforesaid. I therefore in the name and by the authority aforesaid do hereby fully and freely remit and pardon to the said Andries Keyser the crime whereof he stood convicted as aforesaid and the sentence and punishment adjudged thereon. In witness whereof I have hereunto set my hand this day of August, 1777

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*Report on General Putnam's Letters.*

[Miscel. Pap. 39: 265.]

Your Committee to whom was Committed the Report upon Gen[l] Putnam's Letters & the Situation of the County of Westchester beg leave to report the following Resolutions & Letters, to wit,

*Resolved* that all Horses Cattle Sheep and Hogs in the County of Westchester to the Southward of Lines for that Purpose to be Specified by the Commander in chief at Peeks Kill be removed to the Northward of the High Lands, that ———, or any two of them at Peeks Kill do appraise the Said Horses Cattle sheep & Hogs at their full value and do deliver a list of every lot thereof with such appraisement to ——— hereinafter mentioned and transmit a Duplicate thereof to the Auditor General that such of the owners of the same as chuse to take them at Peekskell into their own Care & custody be permitted to do so provided they do immediately appear for that Purpose & remove them to the Northward of the Highlands or dispose of them to the Commissary General or Quarter Master at Peekskill aforesaid. that ——— do pay to the respective owners of such Cattle as shall not so chuse to take them into their own Care and Custody as afores[d] the several sum & Sums at which they shall have been as aforesaid appraised; that the said ——— do sell and dispose of such of them as he shall think proper to the Quarter Master and Commissary at Peekskill aforesaid taking from the said Quarter Master & Commissary respectively certificates of the Prices for which they have been to them or either of them respectively sold upon the Back of the appraised List of such Cattle that the said ——— do remove the remainder thereof to the Northward of the Said Highlands and at his Discretion from time to time sell the same at Public Vendue. that the said ——— be allowed one Per Cent on all the sums which the said Cattle shall sell as aforesaid for his trouble & Expence and that he be impowered from time to time to employ such Persons as he shall think necessary for the services aforesaid; and that the said ——— be respectively allowed the sum

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of —— per Day for every Day which they shall be actually employed in the Business by the Resolution aforesaid submitted to them.

*Resolved* that all such Grains and Forage as cannot be removed to the Northward of the said Line in the foregoing Resolution specified be Destroyed and that such as can be removed be disposed of by the Proprietors after such Removal at their Discretion.

*Resolved* that copies of the aforegoing Resolutions be trnasmitted to gen[l] Putnam and that he be requested to exert himself for carrying the same into Execution.

*Resolved* that Copies of the foregoing Resolutions be transmitted to the said ——— to the said ——— and to the Auditor General.

*Resolved* that the sum of —— be advanced to ——— to be by him accounted for with this State.

D[r] Letter to Gen[l] Putnam with the aforegoing Resolutions.

SIR: In answer to the Several Favors with which the Council of Safety have been honored from you I am directed to transmit you the enclosed Resolutions and further to observe that in the opinion of the Council if a Detachment of about five hundred men be strongly posted at the White Plains, with proper Scouts all the Country lying to the northward of the Road leading from ——— ——— will be secured at least for the Present and the Cattle &[ca] may by Parties of men & particularly of Cavalry be brought off so as greatly to distress the Enemy. Such of the Grain and Forage as can be secured will be of advantage to our Army and the Remainder which ought Doubtless to be destroyed as soon as there shall appear a well grounded Probability that it will fall into the Enemy's Hands is of very great Importance which you will easily conceive when you are informed that there are at least forty thousand Bushels of Grain and ten thousand Tons of Hay now standing to the Soutward of those Roads. A very little Calculation will show the immense advantage which would arise from the Possession of that Country and probably induce you to cover as great a Part of it as is Consistent with the Security of the Passes in the Highlands and undoubtedly to prevent the Enemy as much as possible from availing themselves of its great Fertility.

I have the Honor to be &[ca]

Draft of a Letter to his Excellency General Washington.

SIR: I am directed by the Council of Safety of this State to enclose your Excellency copies of their Letter to Gen[l] Putnam and their Resolutions contained in it relative to the Stock & Produce of the Southwestern Parts of the County of West Chester. The amazing Fertility of that little tract of Country renders it at all times an object of vast importance but particularly so at present when it is covered whith an uncommon Burthen of Grain and Forage highly useful to either Army. The advanced Price of the latter of these Articles and the great Demand we should probably have for it during the next winter must convince the most inattentive that no means should be left unessayed to lay up considerable Magazines and therefore the Council have no Doubt that your Excellency will issue such Orders as together with their Resolutions will be attended with very Salutary Effects in that Quarter. For certainly when a good Price is offered for that which if not removed is to be destroyed in the Field the Husbandman will exert himself to the utmost and be bound to serve the great American Cause in Interest if not from Affection.

From the motions of the Enemy to the Northward it would seem that they mean to attempt a Junction with Gen[l] Howe but when it is considered that their Hopes of Succour from the disaffected of this State are entirely cut off, their success must be more than doubtful and of Consequence the Probability that Howe will move to the Northward considerably diminished. The Council sincerely congratulate your Excellency upon the possession of Brunswick & Amboy and wish that all your Efforts for the Defence of America may be crowned with Success.

I am &[ca]



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*Petition of Henry Lyon.*

[Petitions, 33: 307, 309, 311.]

To the Honourable the Council of Safety for the State of New York.

The Petition of Henry Lyon late of New York at present of Reading Township in Huntington County New Jersey Humbly Sheweth,

That last Campain on the approach of the Enemies Fleet in the Harbour of New York your Petitioner removed part of his Effects into Dutchess County, that your Petitioner then proceeded on a voyage to sea when the Enemy somtime after took Possesion of the City of New York.

That your Petitioners returning from sea found his Family in New Jersey where your Petitioner has since his return from sea continued to Reside as will appear by a Certificate of several Gentlemen Neighbours to your said Petitioner.

That sometime ago the Commissioners of Sequestration in Dutches County have Disposed of your Petitions Property (which he had removed to the County aforesaid) on a groundless suspicion of your Petitioners being with the Enemy in New York which your Petitioner is Ready to give the Honourable House all Possible satisfaction and Prove to the Contrary.

Your Petitioner therefore most humbly prays that your Honourable House will be most Graciously pleased to order the amount of the sale of his said Property to be Returned to him or give such other Relief as your Honourable House shall think just and Equitable.

And your Petitioner as in duty Bound shall Ever pray.

Aug$^{t}$ the 2, 1777. HENRY LYON.

Certificate concerning Henry Lyon.

READING TOWNSHIP, Aug$^{t}$ 25$^{th}$ 1777.

State of New Jersey, Hunterdon County.

M$^{r}$ Henry Lyons who formerly lived in New York and now resides amongst us being informed by Letter that some of his Goods which he moved out of New York up the North River being sold by the Commission on Information that He was amongst the Enemy in New York. These are to certify that the said Henry Lyons has resided amongst us since last Christmas or thereabouts and has to the best of our knowledge always shewn himself a friend to his Country and has serv'd in the Militia with his Neighbours, given under our Hands the date above.

To whom it may concern.

JAMES COLE,
*one of the Justices of hunterdon.*
JOHN MEHELM,
*Member of Assembly for Hunterdon County.*
JOHN TAYLOR, *Colonel.*
EBEN$^{R}$ BERRY, *Cap$^{t}$*
DENNIS WYCKOFF.

List of Confiscated property of Henry Lyon.

The property of Henry Lyon sold by the Commissioners of Sequestration of Dutchess County, on information that the aforesaid Lyon was with our Enemies. June 14$^{th}$ 1777.

| | | | |
|---|---|---|---|
| Glass Ware, | £1 | 18 | 0 |
| Do | 3 | 5 | 0 |
| China Ware, | 4 | 8 | 0 |
| Earthen Do | 2 | 1 | 0 |
| 5 Chairs, | 1 | 13 | 0 |
| 2 Tea tables, | 4 | 17 | 0 |
| 1 Tea table, | 2 | 4 | 6 |
| Mahogany Server, | | 5 | 0 |
| Small Stand, | 1 | 4 | 0 |
| 1 Platter, | | 2 | 0 |

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| | | | |
|---|---|---|---|
| 1 Picture in Oil,..... | £ | 3 | 6 |
| ½ doz Small Pictures,..... | | 13 | 0 |
| do ..... | | 13 | 0 |
| Glass Bottles,..... | | 5 | 0 |
| An old Cloth,..... | | 1 | 4 |
| Desk,..... | 12 | 8 | |
| A Table Covered with Bays belonging it's said to one Tim Russell,..... | 4 | 6 | 0 |
| | £40 | 7 | 4 |

Sep$^{r}$ 1$^{st}$ I hereby certify that the above articles were sold at Public vendue at the house of Thomas Burnet of poghkeepsie for the prices above specified & The money paid into the Treasury.

H. LIVINGSTON, J$^{r}$
*one of the Coms of Sequs.*

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*Receipt for certain Letters.*

[Miscel. Pap. 36: 789.]

RAMAPOUGH CLOVE, SLOTTS HOUSE, 4$^{th}$ August, 1777.

I hereby Certify to have Received and taken in Charge four Letters delivered me by M$^{r}$ William Morris The one directed to G. Eshelns, Esqr. another to James Duane, Esq$^{r}$ another to Col$^{o}$ Alexander Hamilton and the other to Nicholas Hoffman Esquire which said Letters by and with the approbation of General James Clinton I have taken and do promise safely to deliver at Head Quarters, or where directed.

WALTER NORRIS.

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*Lieut. Connolly to the Council of Safety.*

[Miscel. Pap. 36. 765.]

ESOPUS, Aug$^{t}$ 5$^{th}$ 1777.

To They Honorable they Council of Safetey For the Steate of N. York.

The three Prisoners I mention$^{d}$ to the house Yesterday, (Who promis$^{d}$ to Inlest with me) has Chaing$^{d}$ their Minds Exsepting one Andris Tuzor. If the Honourable house Wo$^{d}$ be Ples$^{d}$ to order his Ritgiment, So that I can purpair him to Joyn his Corp$^{s}$ at Fort montgomery. S$^{r}$ your Humb$^{l}$ Serv$^{t}$

MICH$^{L}$ CONNOLLY, *Lieut.*

N. B. I expect a Passage to the Fort Tomorrow.

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*Petition of Peter Loundert.*

[Petitions, 33: 346.]

To the Honourable Council of Safety of the State of New York.

The humble Petition of Peter Loundert of the Manor of Livingston in the County of Albany Humbly Shewit,

That whereas your Petitioner has some time ago been apprehended and confin'd on board the fleet prison in Kingston on suspicion of being inimical to our American liberty & also that I was suspected of being privy and concerned in a certain combination & plot of the torie party discovered and Detected in the Counties of Dutchess & Albany in May or June last albeit I always conducted myself not giving the least umbrage or offence to any member of the political society by which your humble petitioner cou'd incur the Least suspicion of Disaffection Except the false and milicious Information of a certain person who had applied to me for a few Bullets

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to kill Dear which I readyly consented to on his promise to let me have Venison, your humble petitioner has Now been long confined and I believe Nothing New has appeared against me. Your humble petitioner once more attempts to make application to the Honourable Council of Safety for your Petitioners Release from the fleet prison by offering Mr Johans moor of Rhynbeck precinct in Dutchess County to be Security for my future good and faithfull behaviour to the State of New York, and your humble petitioner prays the Honourable Council of Safety to take your humble petitioner's petition into consideration and do unto your petitioner as it seemeth meet, and your Humble petitioner shall ever pray.

Augt 7th 1777. PETER LOUNDERT.

Bond of Peter Loundert.

[Miscel. Pap. 36: 805.]

Know all men by these presents that we Peter Loundert of the Manor Livingston and Johannes Moore of Rhynbeck precinct in Dutchess County are held & firmely bound unto Peter Van Brugh Livingston Esqr Treasurer of the State of New York in the sum of Five Hundred pounds lawful money of New York to be paid to the said Peter Van Brugh Livingston as Treasurer or his certain Attorney, Executors, successors or assigns for the payment whereof we bind ourselves our Heirs Executors and administrators jointly & severally firmly by these presents. Sealed with our seals and dated this Seventh day of August one thousand seven Hundred and seventy seven.

Whereas the above bound Peter Loundert hath been Committed a prisoner to the fleet prison for inimical practices against the peace of the State wherewith he was charged, and the Council of Safety have resolved and ordered that he be liberated for the present on giving good security for the performance of the Conditions hereafter mentioned.

Now therefore the Conditions of the above obligation is such that if the said Peter Loundert shall & do on notice to be given him for that purpose, personally appear and surrender himself to the Governor of the State of New York or the Judges or Justices of the Supreme Court of the said State or the Judges of the inferior Court of Common pleas in and for the County of Ulster, or the Chairman of the County Committee of Dutchess County for the Time being or the Chairman of the Committee of Rhynbeck precinct for the Time being, and also if the said Peter Loundert shall & do in the mean Time neither directly or indirectly by word or Deed oppose or contravene the measures of the United States of America or either of them for supporting their Independence in opposition to the King and parliament of Great Britain, or the present forces of the said British King. And also if the said Peter Loundert shall & do not oppose or contravene any measures that have been or shall be commanded, adopted, taken or pursued for supporting the present Constitution or Government of the said State of New York, then the before written obligation to be void and of none Effect; but on failure or nonperformance of any or either of the before mentioned Conditions Matters or things to be and remain in full force & Virtue.

Sealed & Delivered in the presence of us,
Robr Benson &
John McKesson.

PETER LOUNDERT,
JOHANS his M mark MOOR.

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*Dirck Jansen to Egbert Dumont.*

[Petitions, 33: 342.]

Manor Livingston, 8th Augt 1777.

Sir: A Daughter of old Cooper and Andries Wise will wait on you with these few lines in order to wait on the Council of Safety to see whether they cant get old Cooper Releas'd from his confinement either by given Bonds with good Security for his future good behaviour or a bond on his farm, the whole family have from time

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to time since his confinement on board of the fleet Prison prevailed on me to write to the Council of Safety for his Inlargement and added that he had not been concern'd in the last plot or conspiration and nothing appeared against him. I told them that I believed they were under a misapprehenson, however the Honb^le the Council of Safety are the best judges M^r Robert R Livingston is at Esopus and as Cooper is a Tenant under him I would recommend you to mention it to him as doubtless he can acquaint you most about the matter, as for my part I can't recommend any of the family as friends to the States, they tell me the old man is very sick at present and as our Regim^t is to march this day to the Northward they have nobody left at home to carry the old man any necessarys of consequence that he must suffer in their absence (as they say) I beg you'd excuse the freedom in writing about this matter as the family is continually plagueing me on that head and seem to think he might thereby be discharged altho' I have repeatedly toald them the contrary. time will not admit to enlarge. I am with due Esteem D^r Sir

Your most humb^le Serv^t

EGBERT DUMONT Esq^r DIRCK JANSEN.

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*Capt. Lounsberry to the Council of Safety.*

[Petitions, 33: 380.]

John Van Vliet & Archibald Wilson have engaged to Inlist with me in the Continental service provided they could obtain their pardon from the Council of Safety, I am Gentlemen with due respect your Honours most obedient Humb S^t

1777 August 8^th EDWARD LOUNSBERY

*Capt 2^d N. York Reg^t*

To the Honourable the Council of Safety for the State of New York.

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*Petition of Bernard Albertee.*

[Petitions, 33: 382.]

To the Honourable the Council of Safety for the State of New York, In Council convened.

The Petition of Bernhard Albertee of the East Camp in the County of Albany and State of New York Humbly sheweth,

That y^r petitioner is by trade a Tanner and formerly resided in the City of New York, but removed from thence some short time before the British Army took possession of the same. That y^r petitioner has a sickly wife and two small children to maintain and has also his mother in law & her Family with him to support, as his said mother in law left New York without bringing anything off but her cloaths as she had a considerable Estate in New York, Being possessed of a good Tan yard and good house. That your Petitioner is almost out of business and would willingly employ himself in his said occupation for this State, provided he may Be permitted to the same, and as y^r petitioner is Informed there is a Quantity of Hides belonging to the State to be Tann'd, which said Hides he is informed is up to the Northward and as their is waggons gone up now from the said place where y^r petitioner Resides with provisions to the Army and it would be very convenient to gett the Hides as the said waggons is to return empty. That y^r petitioner should this Honourable Council think proper to Employ him Tan the said Hides upon the same terms and conditions as what other Tanners doth Tan them for the said State. That y^r petitioner can give to this Honourable Council (if Required) good satisfaction with Regard to his character Y^r petitioner therefore humbly prays that this Honourable Council would Be favourably pleased to take the premises under their consideration so as to Employ y^r petitioner in his said Trade of Tanning & give the necessary orders for his procuring & getting Hides or otherwise as to this Honourable Council shall seem meet, And y^r petitioner shall ever pray. BERNHARD ALBERTEE.

KINGSTON, August 8^th 1777.

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*Petition of William Wallace.*

[Petitions, 33: 360.]

To the Governor Council and Senate for the State of New York.

The Petition of William Wallace from Ridgfield, fairfield County and State of Connecticut, Humbly Sheweth,

That your Petitioner being deeply sensible of the duty he oweth to his Country and having the Deepest regret for his past Conduct of injuring the community to answer the ambitious purpose of aggravating a few individuals and after having Been taken by a Guard sent to bring him before the Committee, he made his escape from them and hath secreted himself for some time much to your Petitioners Damage for fear of the Punishment he imagined he might receive for the same therefore your Petitioner begs that your Honors would forgive him for all past Conduct and receive him into the favour and acceptance of his Country, as you may rest assured that he will endeavour for the future to conduct as may give a general satisfaction to the Publick. Your Petitioner now relying upon the mercy and goodness of your Honb^le House to discharge him from his present confinement as he is willing to make full satisfaction for all past injuries, your Petitioner therefore hopeth that your Hon^rs would consider him as a man that hath been much indisposed for some time which rendereth him unfit to endure the fatigues of a soldier, but as he hath wherewith all he will engage to hire a man to serve in his place, during the present Contest and to be beneficial otherwise as circumstances shall permit, and as in Duty Bound your Petitioner shall ever pray. WILLIAM WALLACE.

KINGSTON HARBOUR, August 8^th 1777.

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*Petition of Captain Salisbury.*

[Petitions, 33: 338.]

To the Honourable the Council of Safety for the State of New York, In Council Convened.

The Petition of Silvester Salisbury Cap^t of the Company of Light Horse of Kingston, belonging to the State of New-York, In behalf of himself, officers and Company, Humbly Sheweth,

That y^r Petitioner hath been called with his said Company of Light Horse into actual service within this State at Different Times and at Different Stations and the said Company Being always ready & willing to go and perform their duty when so called upon heretofore into service. That y^r Petitioner hath not as yett Received any pay for the service of the said Company neither is their any price fixed for the pay of the said officers & Company which your Petitioner humbly conceives is extreamely hard, as the Pay Rolls for the service of the said company cannot be made out till such time as the pay is fixed for which they are to serve. That whereas y^r Petitioner hath lately Received a General Order Dated the 6^th of August 1777 from his Excellency George Clinton, Esq^r Governor of this State to furnish out a Detachment to consist of a non Commissioned officer and six Privates to be stationed at Kingston and Between that and the Northern Army in the most convenient manner to serve as Expresses Between the Northern and Southern Armies, their particular Stations to be assigned them by this Honourable Council. That the men Belonging to y^r Petitioners Company seem to be very Disatisfied about serving and are Determined not to go untill such time as that their pay is fixed, that they may know upon what terms & Conditions they are to serve. That several men belonging to your Petitioners Company when heretofore called out to service, Employed others of the said Company to do their Duty, and hath disbursed a considerable Deal of money for pay of the same, without knowing whether they shall Receive anything for the same, to their great Loss as well as Dissatisfaction. Your Petitioner therefore in Behalf of his officers and Company, Humbly prays that this Honourable Council would be favourably pleased to take the premises under their most serious considera-

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tion, so as to fix the pay of the officers & men of the said Company of Light Horse when in service, so as that your Petitioner may be enabled to furnish the Detachment required by his Excellency's General Orders, or give such Relief as to this Honourable Council shall seem meet. And y^r Petitioner shall ever pray.

KINGSTON, August 9^th 1777. SILVESTER SALISBURY, *Cap^t*

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*Petition of Sarah Wood.*

[Petitions, 33: 335.]

To the Honb^le the Council of Safety for the State of New York.

The Petition of Sarah Wood of Marbletown, Ulster County, Humbly Sheweth,

That your Petitioners husband is Prisoner in this Goal and she has no person to manage her farm and stock but John Schoomaker, her son in law, and he is Drafted to go with the Militia on the present expedition. This unhappy event will reduce her and family to the greatest Distress, to alleviate which she proposes if your Honours are pleased, to hire Jacob Scouton a Prisoner here to supply his place. She has obtained the consent of the said Scouton and ardently solicits the concurrence of your Honb^le Board. Your Petitioner therefore prays that your Honours will take my case into immediate consideration, as the Militia are to march tomorrow, and if my son is oblidg'd to go, the ruin of my family is inevitable. Be graciously pleased to mitigate my calamity, and your Petitioner as in duty bound shall ever pray. SARAH WOOD.

KINGSTON, August 9, 1777.

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*Petition of Christian Kroat.*

[Petitions, 33: 334.]

Unto the Honourable the Council of Safety for the State of New York.

The Petition of Christian Kroat of Livingston's Manor, County of Albany, Humbly Sheweth,

That your Petitioner is injured in a manner truly severe and unprecedented in civil communities by the undue influence of some malignant wretches, his person is kept in close confinement, his eldest son, to avoid the like calamity, was obliged to inlist in the Continental Forces, and about a week ago while my youngest son, a lad under sixteen years of age, was on his way to Mill with some wheat to get ground for the families Bread, he was seized upon by a recruiting party, threatened with instant Death, and upon his positive refusal to inlist was bound hands and feet, thrown into a Carriage and Draged to Fort Montgomery. Your Petitioner humbly concieves that such proceedings are not consonant to the Laws of God, nor the salutary regulations established by your honours. Your Petitioner therefore prays that his case may be taken into immediate consideration, and that your Honourable Board will be pleased to issue orders that my unfortunate Boy may be restored to his Disconsolate mother. And your Petitioner shall ever pray.

CHRISTIAN his x mark KROAT.

KINGSTON GOAL, August 11, 1777.

Referred to Gov. Clinton.

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*Petition of John Clint.*

[Petitions, 33: 376.]

To the Honourable the Counsel of Safety now at Kingston.

The Petition of John Clint in Ranselaerswycke in the County of Albany Humbly Sheweth,

That your Petitioner has been confined for a long time in Albany, and now on Board of one of the vessels belonging to this State, near this Port, to the greatest Detriment not only to himself but also to his Distressed Family at home. That

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your petitioner has a wife (who was expected for some Time ago to be brought in the child Bed) and four small children besides, of whom the oldest is only Ten years of age, and they have nothing to live on but what your Petitioner honestly got and earned by keeping School, and that his poor Family has neither a Farm of their own to get any Livelyhood by it nor any money to procure it. That your Petitioner hath some Intelligence of a Letter sent to the Honourable Counsel of Safety from Coll[l] Stephen J. Schuyler as President of the General Court Martial held at Albany in Behalf of your Petitioners Clearance from his confinement and that your Petitioner has sent a petition already on account of the same to the honourable Counsel of Safety. May it therefore please your Honourable Counsel of Safety to take your humble petitioners and his ruined Family's Dismal and Destructive situation in your gracious and most serious consideration and pity myne and my lamentable Family's circumstances, grant him such Relief that he may be able to maintain his Family again, And that he may be no more troublesome to the honourable Counsel, And your Petitioner as in duty bound shall ever pray.

JOHN CLINT.

On Board of the States Prison at Kingston Harboue, August 11th 1777.

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*Petition of Commissary Elmendorph.*

[Petitions, 33 : 372.]

Kingston, Aug. 11, 1777.

To the Honorable Council of Safety for the State of New York.

The Memorial of Cornelius C. Elmendorph Humbly Sheweth,

That your Memorialist has for some time been in the employ of this Honorable Board as Commissary of the Fleet prison, having got the Branch in a Tolerable good Train having Ingaged a Quantity of Fuel and provisions. That should your memorial at Futer Time be Draughted it might be a geat Lost to your memorial as well as Inconvecy to this State. Your memorialist therefore humbly prays that he may be considered an Exempt or otherwise that he may have leve to Resign his office as Commissary, that he may have a Little time to settle his accounts, that he may not suffer thereby when Draughted, and your memorialist as in Duty Bound shall ever pray.

CORNE[s] C. ELMENDORPH.

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*Affidavit of James Crawford.*

[Miscel. Pap. 36 : 773.]

Kingston, August 12th 1777.

By order of Council James Crawford, Soldier in Col Marshalls Regiment, being duly sworn deposeth and saith, That a Tory Prisoner named Jonathan Baker informed him that he had heard Governor Skene say That the Garrison at Tyconderoga was sold, that he had told him so in particular. That he farther told him the Garrison there would retreat from place to place till they should get to Albany. that he had brought off one of the Continental Delegates at Congress, and that soon he would have one or two more of them. The Deponent farther saith, that about eight days before the late Evacuation all the great Guns, viz., Eighteen and Twenty four pounders that were mounted on carriages at the old Fort, were taken away from thence to the distance of about two miles South East of Fort Independence, as was given out, to keep the Indians off, and that such a removal caused much suspicion among the Soldiers, as the heaviest cannon were taken from the principal Magazine to answer a purpose, For which it was generally said, and the Deponent believeth the lighter cannons would have done better—and further saith not.

JAMES CRAWFORD.

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*Petition of Carruth Brisben.*

[Petitions, 33: 358.]

Unto the Honourable the Council of Safety for the State of New York.

The Petition of Carruth Brisbin, humbly sheweth.

That it is with the utmost Difficulty that I can approach your Honourable Board, The attendants of the Goal having intimated to the room in which I am confined that paper, pens & ink are denied to it by your Honours orders I am here a Prisoner of War Destitute of mony and all means of subsistence.

Your Petitioner therefore prays that your honours will take my case into Immediate consideration and issue orders that I may be competently and regularly supplied with Provision during my captivity and your Petitioner shall ever pray.

KINGSTON, Aug. 14, 1777. CARRUTH BRISBEN.

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*Appointment of John McNeill to be first Lieutenant.*

[Miscel. Pap. 36: 803.]

GENTLEMEN: These may sertafy that John McNeill is Chosen By the Company first Leut, and is now apointed by me in this Present Expedition as first Lieut and his Commission he does not like if you can help him to one you will much oblige your freind and Humble Servt DAVID SUTHERLAND, *Coll.*

CHARLOTTY PRECINCT Augt 15th 1777.

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*Receipt for Medicines.*

[Miscel. Pap. 36: 799.]

Received of John McKesson for the use of the party ordered out on public service of Colo Pawlings Regiment, and by order of a Committee of the Council of Safety two and an half pounds Salis Cathartici, half an ounce of Cantharidis, four ounces Spiritus Volatilis Salis Armoniaci a small bundle of Lint a small package or bundle of Cammomil flowers seven & an half ounces Corticis peruviani & a part of a sheet for Bandages. BENJAMIN PETERS.

KINGSTON Augt 16th 1777.

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*Petition of Lieutenant Houstoun.*

[Petitions, 33: 478.]

To the Honourable Gentlemen of the Council of Safety of the State of New York.

The Petition of John Houstoun, Humbly Sheweth,

That your Petitioner had the misfortune of being taken Prisoner in January last by the Enemy 2 Miles this side of Kingsbridge & carried to New York where he was confined for 5 weeks; that unfortunately for him he had in his possession at the time the sum of 400 Dollars of Recruiting money being part of 500 Dollars which he received from the Treasurer Mr Banker by order of Convention and the sum of 100 Dollars he had Expended on 7 Men which he had Enlisted & sent to Fish Kills to join the Regiment. That your Petitioner on account of his bad estate of health while confined with the Enemy had the liberty of walking the Town granted him & likewise the money which he had taken from him returned again. in this situation he remained for some weeks, till his health was recovered, but from the dayly insults he received from the inhabitants of the Town was determined to make his Escape as soon as possible. That your Petitioner in the month of May last endeavoured his Escape by privately procuring a passage in a sloop for Long Island from whence he expected to have got to the Main but unfortunately before the sloop got to the Harbor she was bound for was pressed to join a Fleet of 20 more vessels Bound



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for Sagg Harbor on the East end of the Island to take in Hay for New York, that your petitioner then was oblidged to pass as a hand on board & was greatly in hopes of having an oppertunity of makeing his Escape, but the third night after our arrival at the East end of the Island Colionel Meggs with 300 Troops under his command, crossed in whale boats from New Heaven, surprised and took the Guard which the Enemy had at Segg Harbor, burnt & destroyed a number of the vessels & made Prisoners of all the seamen. In this affair it was your petitioners misfortune to be on board one of the vessels which was destroyed and not being awakened out of his sleep till the vessel was part on fire, had difficulty in clearing of the flames so that he lost all his money & cloaths and was brought with nothing on but his shirt to New Heaven, where he was Examined by General Parsons & from there conducted to Peekskill where he was confined for 7 weeks on suspicion of Deserting to the Enemy & at last tryed by a General Court Martial, who cleared him of the charge brought against him, but broke for other reasons best known to the Court. That by order of General Putnam your Petitioner was sent up Prisoner to this place to render an account to your Honourable Council of the money which he had received from the Treasurer for the service of this State. That your Petitioner from the loss he sustained by the Enemy when sutling for the Army last Summer at Kingsbridge and the late loss he met with at Long Island, is reduced to the greatest poverty having nothing to support him but what he receives from his Charitable friends, but being willing to give the Honourable Council all the satisfaction in his power your petitioner informs them that he has the sum of £75 in Captain Goforths hands now in Philadelphia, which sum he has had in his possession for 14 Month & was to allow a proportionable share of the profits in Trade while the money remained in his hands and what the sum amounts to that is now due from Captain Goforth to your Petitioner he is at a loss to say, but he is willing to give the Honourable House an order for the £75, and the profites ariseing from it in trade whatever it be. Your Petitioner hopes that the Honourable House will take his case into your serious consideration and grant him his liberty so as to enable him to provide himself with necessaries for his support dureing the winter which is now drawing on. That your Petitioner from the first of the present War, Engaged himself merely out of Principle, being fully convinced of the Justness of the cause and that dureing the Campaign to Quibeck where he had the Honour of being a Lieutenant under the brave deceas'd Cap^t Cheesman, he had the pleasure of giveing those in Command satisfaction in the Post he had the Command of at Point Levy that winter, and all the misfortunes & crosses he has met with will never induce him to be guilty of any steps to the prejudice of the United States. Your Petitioner hopes that if the Honourable Court is not at Leisure at present to take his case into their consideration, that they will grant him the liberty of staying at M^r Beckers where they may depend upon his remaining till called for, and your Petitioner as in Duty bound will ever Pray.

JN^o HOUSTOUN.

1777.

Bond of John Houston.

[Miscel. Pap. 36 : 785.]

Know all men by these presents that I John Houston formerly of the City of New York, and late an Officer in the Continental Army, am held and firmly bound unto William Palfrey Esq^r paymaster General of the Continental Army in the Sum of five hundred Dollars of the Value of Eight shillings lawful Money of New York, each Dollar to be paid to the said William Palfrey or to his certain Attorney Executors Administrators or assigns, for which payment well and truly to be made and done, I bind myself my Heirs Executors and Administrators firmly by these presents, Sealed with my Seal & dated this Eighteenth day of August in the Year of our Lord one Thousand Seven hundred and Seventy Seven.

The Condition of the above obligation is such that if the above bound John Houston his Heirs Executors or Administrators shall & do well and truely pay or Cause to be paid to the said William Palfrey or to his Certain Attorney Executors

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Administrators or assigns the sum of five hundred Dollars each of the Value of eight shillings lawful money of New York then the above obligation to void otherwise to remain in force & virtue.

Sealed & Delivered in the presence of us.

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*Petition from Newburgh and New Marlborough.*

[Petitions, 33: 356.]

Aug^t 21, 1777.

To the Honb the Council of Safety for the State of New York.

The Humble petition of divers of the Inhabitants of New Burrough and New Marlborough Precinct of Ulster County Most humbly Sheweth,

That wee being Neighbours and Acquaintances of Samuel Devine Now in confinement at Kingston and seeing the Distress to which his wife and young family are reduced to by reason of his absence as also to what they will be reduced to if they can get No assistance from him in Provideing Provision and Provender for the Approaching Season. We therefore humbly pray that he may be released from his confinement and sent to his family, under such restrictions as you in your wisdom shall think proper, we can with truth assure you that as friends to our Country's cause we would not be thought to ask Liberty for an Enemy and have not the least cause of suspicion that he will do anything to the prejudice of the United States of America, what he formerly has done we rather believe has been from passion more than principle all which we nevertheless submit to your wisdom, and your Petitioners shall ever pray.

| | | |
|---|---|---|
| Jon. Scot, Sen., | fredrick Cronk, | Joseph Divine, |
| Eedmond turner, | Joseph Remson, | Jonathan Lane, |
| William Roch, | John Gee, | nehemiah horton, |
| Hazael Smith, | Henery Cronk, | Andrew Gee, |
| Dene Ralyea, | William Gerow, | William Gee, Senyer, |
| Benjamin Ralyea, | John Gerow, | Cornelius Polhemus, |
| Peter terpenning, | William Realyea, | James Denton. |

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*Report on Application of John Coe.*

[Miscel. Pap. 36: 791.]

State of New York in Council of Safety Aug^t 22^d 1777.

The Committee to whom was referred the application of John Coe Esq^r reported that the s^d John Coe being Chairman of the Committee of the County of orange on the South side of the mountains, did in Persuance of Certain Resolutions of the late Convention of this State of the 21^st Jany last directing a Collection of Stockings & Blankets to be made for the use of the Troops raised in this State, receive from the Collectors appointed for that Purpose in that part of the County of orange which lies to the Southward of the Mountains a considerable Quantity of Blankets & Yarn Stockings which according to the Directions of the said Resolutions he determined to send to the Clothing Store at Fish Kill—That he carried the said Blankets & Stockings to a continental Store House at Kings Ferry of which Cap^t Sheers had the care—That he delivered them together with a Bill of Parcels to the said Sheers with Directions to send them forward by a safe Opportunity to the Cloathing Store aforesaid at Fish Kill, which he promised to do. That ninety Blankets & one hundred & thirty Eight pair of woolen Stockings were so delivered by him unto the Custody of the said Shiers on or about the 17^th Day of March las^t That on the 7^th Day of May last he procured a Certificate from Com^r Cregier Assistant Commissary to the Cloathing Store at Fish Kill in the words & figures following viz^t

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"FISH KILL, May 7th 1777.

"Recd of John Coe Esqr Chairman of the Committee of orange County on the South side of the Mountain fifty five Blankets Ruggs & Coverleds & one hundred pr of Stockings mostly worn which goods were sent by said Committee to Fish Kill Landing and by mistake carried to the Continental Store from which Store I have now recd them by the Hands of Mr John Keers.

CORNS CRYGIER *Ast Com*."

That from the above Certificate it appeared that thirty five Blankets & thirty Eight pair of Stockings were missing. That he therefore applied to the said Steers to know how it happened—That Kiers told him he had delivered all the Blankets & Stockings afd to Capt Welch to be by him transported to the Cloathing Store afd at Fish Kill with the Bill of Parcels afd—That he the said John Coe afterwards saw the said Capt Welch who acknowledged that he had recd from the said Kiers the Blankets Stockings & Bill of Parcels afd that he carried the said Blankets & Stockings to Fish Kill & delivered them to the care of ——— Bogardus who kept a Store there & that he gave the Bill of Parcels to Capt Dobbs. That the said Bogardus told him the sd John Coe that he had recd nine Bundles from Capt Welch, that he did not open them & that he sent them to the continental Store at Fish Kill. That the sd Dobbs denied that he had recd the Bill of Parcels afd from Capt Welch—That he the said John Coe did not take a Rect for the said Blankets & Stocking from the said Kiers, nor the said Kiers from Welch, nor the said Welch from Bogardus nor the said Bogardus from the Waggoner who carried them to the continental Store afd

The said John Coe being sworn saith that the Facts above set forth are to the best of his Knowledge & Belief true. JOHN COE.

Sworn 22 Augt 1777 before me,

JOHN JAY.

*Resolved* that the aforegoing Report be filed with the Treasurer to be delivered to the Attorney General.

*Resolved* that the Attorney Genl be directed to prosecute a certain Capt Welch mentioned in the said Report or such other Person as he shall think proper for the amount of the Blankets & Stockings recieved by him & not delivered to the use of the State.

Extract from the Minutes. ROBT BENSON, *Secry*

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*Examination of Johannes Oosterhoudt, Jun., and Nicolaes the Indian.*

[Miscel. Pap. 36: 795.]

Taken the 23th Day of August, 1777, Before Jacob Hoernbeck as they just Returned from the Indian Country as followith:

1ly They Deposeth and saith that the Indians have abandoned the Kookhouse and are all moved Back as farr as Auquago or Coletien. Being afraid of the people of Esopus and menisinck as said Indians had Recieved Information Before they moved that 2000 men where Comeing up to Destroy them and therefore the said Indians had kept out a Scouting party towards Shohaken til such Time as said Oosterhoudt and Nicolaes Came and told the Contrary.

2dly That the most part of the Young Indians where gone to Join Butler at Fort Stanwick and the wife of the Chief Sachem of the five nations had made a request to the Sachems that all the five Nations should be desired once more to hold themselves neutral in the present Contest or War which request was Granted her, whereon the Chief Sachem should Imiditely Request the said five Nations to Stop their Hostile measures and Come in agin with those that have heitherto Been still and if the Young Indians should Refuse to Return Butt Continue with Botler in the War then the Sachem offers to be at peace and Continue in friendship with the people att Esopus, menisinck, Papeckonck, Kashigto, wyamonk and al Settlements to the Southward thereof so that War should be only to the North and if any of their Young men should [be] killed to the North they should not mind it or Break

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friendship. And if any of our men should Go in the war to the North and be killed we should Likewise not mind the same or Break Friendship.

3ly And Indians is sent with oosterhoudt and Nicolaes by the Sachem to Collo Hoornbeek to see how times are with him and to desire of said hoornbeek that a Correspondance may be kept with Esopus people and the Sachems notwithstanding the War to the North and that once every 3 or 4 weeks a men may pass and Repass Between them so that the woman and Children may be att peace and their work on Both Sides and that the Road on the side of the Indians shal be Constant open for us Safely to Come to them and Return.

4ly That the onyde Indians are hartly in favour of America and very Likely a war will soon Break out with them and other Nations.

A true copy.

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*Petition of Prisoners.*

[Petitions, 33: 344.]

GENTLEMEN: Famine more formidable than the Sword and pestilence united, now presents itself to us, the goalor informs us that he has orders to decline supplying us with provisions. Is it possible that a Council of Safety for the State of New York can issue so horrid an order? Perish the ungrateful suggestion, we cannot believe it, to keep men in close confinement with all the precaution practicable by human ingenuity, and at the same time deny them the necessaries of life is unprecedented amongst them we call savages. There are many among us destitute of money, and of every means to preserve existence. There possibly are some who can supply themselves, but let a scrutiny be made, and let not them who cannot, perish. We have not, we will not pursue any violent measures, we trust in God and the humanity of your honorable board and are

Gentlemen Your Distressed humble Servants,

| | | |
|---|---|---|
| Robert Nickolesson, | James Beggs, | Isaac Lockwood, |
| Harrow Wilkinson, | Thos Wilkinson, | Henry Plank, |
| Jacob his x mark Scoulenar, | Wm Orr, | Caruth Brisben, |
| Silas Gardner, | Alexr his x mark Campbell, | Robert his x mark Briget, Nigor. |
| Samuel Divine, | | |

To the Honourable the Council of Safety for the State of New York.

KINGSTON GOAL, August 23, 1777.

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*List of Men deserted from the Fleet Prison, 26th August, 1777.*

[Miscel. Pap. 36: 797.]

| | | |
|---|---|---|
| John Cummons, | Laurence Rysdorp, | John Flewelling, |
| Alexr Crookshanks, | Phenis Rumse, | Austin Smith. |
| John Monroe, | | |

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*General Putnam to Pierre Van Cortlandt.*

[Miscel. Pap. 37: 9, 11, 13.]

HEAD QUARTERS, PEEKS KILL, Augt 27th 1777.

SIR: I send you one James Place who has been a Lieut in the british service and one William Smith their crimes you will learn from the inclosed and a part of the evidence. Also one Tippet who was taken near fort Independance I know of no Crime he has commited but was taken within the Enemy's lines. Also one Smith who was taken up for a thief and robber I am not possessed of the evidence—being persons belonging to this State I thought proper to send them to your Costody.

With respect I am your obedient humble servant,

ISRAEL PUTNAM.

To PIERRE VAN CORTLANDT, Esq., Presidt of the Council of Safety at Kingston.

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In Committe of Safty for y' County of Westchester,
Bedford, Aug. 18th 1777.

Sir: We send you two prisners, perhaps two as Notorious Vilians as any on Earthe, Viz, William Smith and James Place. S^d William Smith is one of the heads of the Gang of robers which has so much Distressed the good people in this county as has been proved by the following Evidence taken before this committe: The wife of Reubin Smith and the wife of Stephan Seaman being sworn, Smiths wife says she knows the s^d Smith and saw him at there house the Night Capt Seely was robed and Seaman's wife says under oath she saw y^e s^d Smith on the Day Capt Seely was robed at Night in the woods, with about Eight more soposed to be the robers and she spoke to him in perticular and asked him what he thought of himself to be robing about in that manor. He s^d it was Beter than to be in the Gaurdhouse.

Capt Gideon Seely & his wife, Major Joseph Benedict and his wife, Nathan Benedict, Rhody Benedict, John Shaw, all Duly sworn say they know the s^d William Smith to be one of the formost men y^t Broke open the house of Capt Seely & Major Benedict and that he was the most forward in taking away their money and Goods. Major benedict says s^d Smith abused him in particular on acount of his having been a committee man, a major in the servis &c., and swor he should be Carried to New York by the Next Night and that He had a hankerchief tied on his head suposed to Hide a certain mark. They all agree that he was one of the heads or foremost man among them. There is a number of other Evidence which will prove that he has robed in several other places.

James Place was taken this morning and brought before this Committee. He said he Left New York two Days ago and was one of General Hows commissioned officers & produced his commission, said he was coming in to resigne himself but it apears Very clear to this committee from the strongest sircumstances that he was out steeling Horses, for these reasons: Last Night our Guard found two men at the Barn of Benj Hoyt, where a number of fine horses were locked up. They had Broken open the Barn and got one Horse out when our Gaurds Chalenged them and seeing but one Conght Hold of him and thought to Bring him in but the others came out of the Barn and risqued him. The Gaurds thinks s^d Place is the Very Man they had the Squabble with as near as they could tell a man in the night by his shape and Dress which they remember well, his shirt and Breaches being torn and his knee hurt, his being found Next Morning Early on the same Hors which he took from the Barn togather with the Imperfect acount he Gives of himself Leaves not the Least Doubt with this Committee but that he is the verry man that was found at S^d Barn.

N.B. Said Place says he Lived on Cortlandt Manor, has a wife there and Left there about a year ago, went on board the Phœnex when she Lay in the North River. Sir, I'm by order of committee,

ZEBADIAH MILLS, *Chairman.*

To the Comander in Chief.

Crumpond, Aug. 19th 1777.

This may Certify whom it may concern that James Place who was taken at Bedford upon suspition of being a spie and meeting with one of his acquaintents at this place one thomas Davis in Colo Turners regt Capt Churchils Comp^y who has declared that said Place has frequently mentioned to him in privat that he had a mind of deserting from them.

A^ts SILAS BENHAM,
*Lieut of Capt Betts Company Col Charles Webbs regt.*

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*Return of Prisoners in Fleet Prison.*

[Petitions, 33: 332.]

The Hon[l] Counsell of Safety.

G[r] I have Just rec[d] in the fleet prison by order of the Commissioners for Conspirators fifty six prisoners which have taken on b[d] accordingly. Inclosed you have a Copy of their Names & Crimes as I rec[d] it.

I remain y[r] mo[t] ob[t] H. S[t]

SLOOP HUDSON, 27 Aug[t] 1777. HENRY BENSON, *W*[m]

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*Nathaniel Sackett to John McKesson.*

[Miscel. Pap. 37: 7.]

DEAR SIR: Mess[rs] Obediah Cooper, Jacob Van Voorhis, Junr and myself have planed a Trip to the eastward for the purpose of purchasing goods to bring into this State to enable us to execute our Designs. you will be pleased to fil up for us seperate passes and if it should be necessary to expressly mention any one place you will be pleased to put in Portsmouth in the State of Hampshire but if you can with propriety fil it up generally to the eastward and to return to this State should rather chuse it as it is uncertain in what Town we shall be able to purchase the articles we most want. I am Sir your hum[l] Serv[t]

FISHKILL, Aug[t] 27[th] 1777. NATH[L] SACKETT.

JOHN M[c]KESSON Esqr.

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*Petition of John Romer.*

[Petitions, 33: 330.]

Unto the Honourable Council of Safety for the State of New York.

The Petition of John Romer of Coxacky, Humbly Sheweth,

That by virtue of a Recommendatory certificate signed by the chairman and several members of the Committee of the District to which he belongs, presented to your Honourable House on or about the 16[th] instant, your honours were graciously pleased to consent to his liberation, and desired him to apply to the high Sheriff for a pass. He accordingly left the Goal and went in quest of that Gentleman. At last he found him, but he, regardless of your honours benign intentions to the Petitioner, again ordered him into close confinement. Your Petitioners spouse was then in Town, tarried three Days and from time to time waited on the Sheriff endeavouring by her tears and entreaties to molify the heart of that obdurate man. The sheriff's pretence for this cruel usage is that your Petitioner had been accessory to the escape of some prisoners from the fleet. But of this accusation God knows my innocence, also the guard who were upon duty the night the escape was made. The distress of his family is daily increasing, the only man that took care of his interest now lies on a bed of sickness and the Petitioners spouse is fully employed in attending his small children. Your Petitioner therefore prays that your honours will be pleased to extend your clemency to him. And as in Duty bound he shall ever pray.

KINGSTON GOAL, Aug. 29, 1777. JOHN ROMER.

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*Memorial of John Jay and Gouverneur Morris.*

[Petitions, 33: 288.]

To the Hon[ble] the Representatives of the United States of America in General Congress convened.

The memorial of John Jay & Governeur Morris Most Humbly Sheweth,

That the Council of Safety of the State of New York did on the 28[th] day of July last* direct your memorialists to repair to Head Quarters & confer with his Excel-

* Journal of New York Provincial Congress, I., 1019.

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lency General Washington about the State of the Northern Army, the means of reinforcing it & all such other matters as might respect the defence of that State and to represent to his Excellency the necessity of providing Garrisons for the Forts in the Highlands, as the Term for which the Militia then stationed there were engaged, would soon expire.

That your memorialists have represented to his Excellency General Washington that the Northern Army was far inferior in numbers to that of the Enemy & unable effectually to oppose their further Incursions.

That the late Behaviour of the Militia required to reinforce the Army afforded but little Reason to expect important succour from them.

That one third part of all the Militia of the State of New York between the County of Albany & the District possessed by General Howe, had been in actual service ever since the month of March last, & that the remainder were held in constant readiness to march to the Defence of Hudson River, where it was expected that the Enemy after their Retreat from Jersey would bend the whole Force of their Southern Army. That for these reasons General Schuyler could obtain no aid from thence.

That the western parts of the State of New York were threatned with an Invasion by the way of Oswego and that to oppose it the Council had ordered two hundred Rangers to be raised in the County of Tryon and one third part of the Militia to be embodied.

That from the counties of Gloucester, Cumberland & Charlotte the Council promised themselves little, many of the Inhabitants having been prevailed upon to revolt from the State of New York, and as your memorialists are informed, a considerable number have already submitted to & joined the Enemy.

That the Northern Army cannot therefore rely on any reinforcements from the Militia of the State of New York except that of the County of Albany of which about one thousand were with General Schuyler.

That the northern and Western parts of the State abound in Corn & Cattle & that the Inhabitants spread thro' a great Extent of Country & being feebly supported are dissatisfied & have informed the Council of Safety that without timely assistance the Enemy may without difficulty possess themselves of that Country & thereby obtain ample supplies of provisions, Horses, Carriages & other essential articles.

That should such an event take place, the six nations of Indians would be greatly in the Power of the Enemy, & might probably be prevailed upon to join them.

That the disaffected & men of equivocal character would embrace that opportunity of testifying their zeal against the American cause by acts of outrage & violence & that from all these sources the Enemy would daily derive great accessions of Strength.

Wherefore your memorialists requested of his Excellency General Washington that a further Reinforcement might be sent from his Army to that under General Schuyler, and that Garrisons for the Forts in the Highlands might be otherwise provided than from the Militia of the State of New York who were uneasy at being so frequently & so long called from their Habitations.

That his Excellency assured your memorialists no more Troops than the two Brigades he had already ordered to the Northward could with Propriety be spared from his Army & that the necessity of Drafts from the Militia to Garrison those Forts still existed. That of this your memorialists do not entertain the least doubt, being well persuaded that General Washington would most readily afford the Northern Army & the State of New York all the aid & Relief in his Power, your memorialists therefore deeply impressed with the importance of the State of New York to the common cause & the imminent danger there is of losing it, beg leave to address your Hon^ble House on this interesting subject. They humbly presume to suggest that the strenuous & unremitted exertions of that State, exclusive of more general & extensive considerations call loudly & justly for the friendly support & assistance of her sister states and that it would neither be right or politic to leave its inhabitants to the fury of a savage & inhuman Enemy whom they had irritated

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& incensed by their efforts to preserve the liberty & Independence of all the United States. Your memorialists beg Leave further to hint that should a considerable Corps of Militia from the States of Maryland Pennsylvania & New Jersey be immediately formed & ordered to join General Washington's Army it might perhaps become safe to order a division of Continental Troops and a Regim$^{t}$ of Riffle men to the Northward without which your memorialists are apprehensive that the State of New York will be in the Possession of the Enemy.

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*Proceedings of Committees of New Hampshire, Massachusetts Bay, Connecticut, Rhode Island and New York.*

[Miscel. Pap. 36: 724, 739.]

At a meeting of Committees from the States of New Hampshire, Massachusetts Bay, Connecticut, Rhode Island, And New York, holden at Springfield in the County of Hampshire the 30$^{th}$ of July Anno Domini 1777 for the purpose of holding a conference respecting the State of the paper Currency of the said Governments; of the expediency of calling in the same by taxes or otherwise, of the most effectual, expeditious, and equal method of doing it, and to consult upon the best means for preventing the depreciation and Counterfeiting of the same, and also to consider what is proper to be done with the Acts lately made to prevent monopoly and oppression; & to confer upon the late acts for preventing the Transportation by land of certain Articles from one State to another, and to consider such other matters as particularly concern the immediate welfare of said States, & are not repugnant to or interfering with the Powers & Authorities of the Continental Congress & to report the result of their conference to the General Courts in their respective States.

Sundry Gentlemen not having arrived adjourned till Thursday—then met according to adjournment.

*Present:* From New Hampshire—Coll Josiah Bartlett & Coll Nathanael Peabody. From Massachusetts Bay—Hon$^{r}$ Tho$^{s}$ Cushing Esq$^{r}$ Hon Robert T. Pain Esq$^{r}$ From Connecticut—Hon. Roger Sherman, Samuel Huntingdon & Titus Hosmer Esq$^{r}$ From Rhode Island—Hon. W$^{m}$ Bradford, Honb Stephen Hopkins Esqr and Paul Mumford Esqr. From New York—John Sloss Hobart Esqr.

The Hon. Stephen Hopkins Esq$^{r}$ was appointed Pres$^{t}$ and W$^{m}$ Pynchon Esqr Clerk.

Voted that the Commissions of the Committees from the several States be entered on the Journals. They are as follows:

State of New Hampshire.

Thursday, July 17, 1777—P. M.

Both Houses being met in Committee according to the vote of the forenoon, The Hon Meshech Weare in the chair proceeded to confer upon the Business now most necessary to be done at this present Session and after some time spent thereon, The Committee agreed to report that it is expedient that a Committee be appointed by this State to meet Committees from the States of Massachusetts Bay, Rhode Island, Connecticut & New York, at the Town of Springfield in the County of Hampshire in the State of Massachusetts Bay, on the 30$^{th}$ of July Instant then and there to hold a Conference respecting the State of the paper Currency of said Governments; of the expediency of calling in the same by Taxes or other ways; of the most effectual, expeditious & equal method of doing it, & to consult on the best means for preventing the depreciation & Counterfeiting of the same, & also consider of what is proper to be done with respect to the acts lately made to prevent monopoly & oppression, & to confer upon the late acts for preventing the transportation by Land of certain Articles from one State to another, and to consider such other mat-



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ters as particularly concern the immediate welfare of said States and are not repugnant to or interfering with the powers and authorities of the Continental Congress. A True Copy Attest

NOAH EMERY, *Clerk of the Committee.*

IN THE HOUSE OF REPRESENTATIVES, July 18, 1777.

The Committee of both Houses appointed to Nominate proper persons for a Committee to go to Springfield in the County of Hampshire to meet Committees from the States of Massachusetts Bay, Rhode Island, Connecticut & New York on the 30th instant for the purposes mentioned in the report of the Committee of the Whole House & Council yesterday made report that they Nominate Coll Josiah Bartlett, Coll Natl Peabody as suitable persons for that service, which report being read and considered,

*Voted* that the same be received & accepted.

Sent up for concurrence, JOHN DUDLEY, *Spkr*

In Council the same day read and concurred.

A Copy examined by

E. THOMPSON, Secty

State of Massachusetts Bay.

IN THE HOUSE OF REPRESENTATIVES, June 27th 1777.

*Resolved* that the Hon. Robert T. Paine & Azor Orne Esqrs with such as the Honorable Board shall join, be and hereby are appointed a Committee in behalf of this State, to meet Committees from the General Assemblies of the States of New Hampshire, Rhode Island, Connecticut & New York, at the Town of Springfield in the County of Hampshire within this State on the 30th day of July next, in case said Assemblies thinks fit to appoint such Committees, then & there to hold a Conference respecting the state of paper Currency of the said Governments; of the expediency of calling in the same by taxes or otherwise; of the most effectual, expeditious, and equal method of doing it, and to consult upon the best means for preventing the depreciation & Counterfeiting the same, and also to consider what is proper to be done with respect to the acts lately made to prevent monopoly and oppression, & to confer upon the late acts for preventing the transportation by land of certain Articles from one State to another, and to consider such other matters as particularly concern the immediate welfare of said States & are not repugnant to or interfering with the powers & authorities of the Continental Congress, & to report the result of their Conference to the General Court, & the Secretary is hereby directed immediately to Transmit authenticated copies of this Resolve to the General Assemblies of the States afore mentioned, & every clause in an Act intitled an Act in addition to & for amending & more effectually carrying into execution an Act intitled an Act to prevent monopoly & oppression made the present year, be & hereby are suspended until the further order of this Court, excepting in the two first enacting clauses in the Act before mentioned determining the prices certain Articles therein enumerated shall be sold at.

Sent up for concurrence. R. T. PAINE, *Spk., P. T.*

IN COUNCIL, June 27th 1777.

Read & concurred & Thomas Cushing Esqr is joined on the part of the Board.

Consented to by the Major part of the Council. JOHN AVERY, *Depty Secty*

A true copy attest:

JOHN AVERY, Depy Secy

State of Connecticut.

By his Excellency the Governor to the Hon Roger Sherman, Samuel Huntingdon & Titus Hosmer, Esqrs

Whereas the General Assembly of the State of Massachusetts Bay, have appointed a Committee to meet at Springfield on the 30th day of Instant July to confer &

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consult with Committees from the States of New Hampshire, Rhode Island, Connecticut and New York, on the state of the paper Currency of said Governments, of the expediency of calling in the same by taxes or otherwise, of the most expeditious, and equal method of doing it, the best measure for preventing the depreciation or counterfeiting the same, on the Acts to prevent monopoly & oppression & the Acts for preventing the transportation by land of certain Articles from one State to another & such other matters as particularly concern the immediate welfare of said States & to report the result of such Committees to the respective States aforesaid, & have moved that a Committee be appointed in behalf of this State for the above mentioned purposes & Whereas the Governor & his Council of Safety have named and appointed you to be a Committee from this State to meet at said time & place to confer & consult with the Committees of said States & make report accordingly. Reposing special trust & confidence in your wisdom, prudence & fidelity, I do hereby desire & impower you to meet the Committees from the said States or such as may meet and with them to consult & confer on the several important subjects mentioned in the resolution of the Assembly of the Massachusetts Bay, & make report to me that the same may be laid before the General Assembly of this State. Given under my hand & seal at Arms, at Lebanon, the twenty first day of July, Anno Domini 1777. JON^A TRUMBULL.

State of Rhode Island & Providence Plantation.

IN GENERAL ASSEMBLY, July 9th 1777.

It is voted & resolved that a Committee of three persons be appointed in behalf of this State to meet Committees from the General Assemblies of the State of New Hampshire, Massachusetts Bay, Connecticut & New York, at the Town of Springfield in the County of Hampshire in the State of Massachusetts Bay on the 30th day of this instant July (in case said Assemblies shall think fit to appoint such Committees) then & there to hold a conference respecting the paper Currency of said States of the expediency of calling in the same by taxes or otherwise, of the most effectual, expeditious, & equal method of doing it, & to consult upon the best means for preventing the depreciation or counterfeiting of the same; & also to consider what is proper to be done, with respect to the acts lately made to prevent monopoly & oppression, & to confer on the late acts for preventing the transportation by land of Certain Articles from one State to another, & to consider such other matters as concern the immediate welfare of said States, & are not repugnant to or interfering with the powers & authorities of the Continental Congress, & particularly to consider of & sollict some more sure & effectual method to keep up a sufficient Army to oppose that body of the Enemy which is now in possession of the Island of Rhode Island & that they report the result of this conference to this General Assembly, it is voted & resolved that the Hon W^m Bradford Esq^r Deputy Governour, the Hon Stephen Hopkins Esq^r & Paul Mumford Esq^r be & they are hereby appointed a Committee for the purpose in the aforegoing resolve mentioned.

A true Copy examined. Witness: HENRY WARD, *Sec*

IN COUNCIL OF SAFETY FOR THE STATE OF NEW YORK,
KINGSTON, July 21st 1777.

*Resolved* that John Sloss Hobart Esq^r & Governor Morris Esq^r be & hereby are appointed a Committee on behalf of this State to meet with Committees from the State of New Hampshire, Rhode Island, Connecticut, & Massachusetts Bay, to hold a conference respecting the State of the paper currency of the said States, & the other matters mentioned in the Resolutions of the House of Representatives of the Massachusetts Bay on the Twenty Seventh of June last.

Extracts from the Minutes,

PIERRE VAN CORTLANDT, *Pres^t*

Attest: JN^o M^cKESSON, Sec^y

Friday, Aug^t 1st 1777.

Met & conferred upon sundry matters & adjourned to Saturday morning 9 Oclock

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Saturday, Aug$^{t}$ 2$^{d}$ 1777.

Met according to adjournment, present the same Members.

The Committee conferred upon the State of the paper Currency of the said Governments, of the expediency of calling in the same by taxes or otherwise of the most effectual, expeditious, & equal method of doing it, & the best means for preventing the depreciation & counterfeiting of the same, & upon full consideration are unanimously of opinion that the quantity of paper currency omitted & circulating in said States, Greatly exceeds what is necessary for a Medium of Trade, & support of the War, whence necessarily follow the depreciation of the Currency, & Stagnation of their circulation, fluctuation irregularity, & extravagance in prices; & if not timely remedied the total destruction of their credit, to the greatest injury of these States. They are also unanimously of opinion that the Great number of Bills circulating upon the credit of the United States & of the several particular States, tend mutually to depreciate each other, not only by the too great quantity; but also by multiplied frauds in counterfeiting the same; which evils as far as is possible to remedy at present & prevent in future.

*Resolved* that it be recomended to the Legislatures of the several States to make provision for drawing in & sinking the bills of credit which are not upon interest by them respectively emitted (small change less than a Dollar only excepted) by the first day of November next either by taxes, or by exchanging them for Treasurers Notes, for sums not less than ten pounds on interest at six per cent per a$^{n}$ or for Continental bills of credit & to prohibit the currency of their respective Bills of credit from & after the said first day of November & not to emit any more bills of credit hereafter, except for change not exceeding half a dollar.

*Resolved* that it be recomended to the several Legislatures aforesaid for the future to provide for the exigencies of their respective States, & the support of the War as far as possible by taxation & in order to lighten the burthen & accommodate the taxes to the convenience of the people, & the more effectually to establish the credit of the Continental currency, that those taxes be levied & assessed, at the least once in every quarter of the Year, & to take effectual methods that the several assessments be duly collected & punctually paid into the respective Treasuries.

Adjournment to Monday next 9 o clock in the morning.

Monday morning.

Met according to adjournment, the same Members present as on Saturday.

The committee took in consideration the Acts against monopoly & oppression, & upon mature deliberation, are of opinion that they are attended with inconvienances, & that the good order proposed thereby may be better attained by the measures herein recomended, whereupon

*Resolved* that it be recomended to the several Legislatures to repeal all the clauses in the aforesaid Acts for preventing monopoly & oppression so far as they relate to affixing the prices at which the Articles therein enumerated shall be sold, & enacting penalties for not observing the same—and

Whereas it may be apprehended that the repeal of the monopoly bill may operate to the prejudice of the non Commissioned Officers & Soldiers who are employed in the Continental Army upon the expectation of being supplied with the necessaries of life at the prices affixed by said bill—therefore more effectually to prevent such evil,

*Resolved* that it be recomended to the several Legislatures aforesaid that provision be made for supplying the Troops belonging to the Continental Army, & raised in their respective States, who are in the field, with such necessary Articles as are not supplied by the Commissary General upon the same terms as the several States have stipulated, always taking care that the prices affixed in said bill be considered as the prime cost; & also that provision be made at the expence of the respective States that the families of the non commissioned Officers & Soldiers of the Continental Army residing with them be supplied with provisions & cloathing at the prices set in said bill, to the amount of their wages; & that Committees be appointed in all the towns & districts in said States, whose business it shall be to see that the families of said Officers & Soldiers are duly supplied with such necessaries of life as their circumstances may require to the amount of such sum as shall

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be lodged by such Officers & Soldiers with said Committee not exceeding their pay respectively & also to provide suitable laws to procure necessary Articles, stipulated to supply the troops & their families, by impressing those Articles when necessity shall require, & paying the owner a reasonable price at the appraizement of indifferent judicious men.

And whereas the ingrossing and withholding from sale of the conveniances and necessaries of life, accumulating profits upon the same by repeated sales in large quantities from one engrosser to another are highly prejuditial to the interest of any State, aud under the present circumstances of these States are of the most fatal and dangerous tendency,

*Resolved* that it be recommended to the Legislatures aforesaid to prohibit and prevent such practices from time to time under severe penalties, as the nature and circumstances of the case may require, and to make provisions for enforcing the sale of the commodities so engrossed or witheld in small quantities and at reasonable prices for the use of the inhabitants.

Then adjourned to Tuesday morning nine o'clock.

Tuesday met according to adjournment, present the same members as on Monday, and conferred on Sundry matters and adjourned.

Wednesday morning nine o'clock met according to adjournment, present the same members as on Tuesday.

Whereas it may sometimes be necessary to prohibit the transportation of certain Articles by land from one State to another,

*Resolved* that it be recommended to the respective Legislatures to form their laws made for that purpose so as not to prevent the free transportation of any articles that can be spared from their respective States to supply the inhabitants of any of the other States nor to prevent the inhabitants of other States from carrying out the property they were possessed of in such State at the time of making such Laws, or which they may have afterwards imported by sea, or brought in from any other State by Land, and also that no unnecessary interruption be given to a free commercial intercourse between the inhabitants of the several States.

Whereas the concurrence of all the United States in the Measures aforesaid, will render them much more effectual for attaining the good ends proposed,

*Resolved* that a copy thereof be transmitted to the Honourable Congress of the united States, that such measures may be taken for that end, as they in their great wisdom shall think meet, and that a Letter signed by the President accompany the same—and

Whereas the State of Rhode Island have represented the necessity that a body of troops be kept up to guard the shore round Rhode Island, under the direction of the General Officers stationed there, and have manifested a desire, that the Committee should consider the same, and express their opinions of it to their respective constituents; therefore,

*Resolved* as the opinion of this Committee, that the State of Rhode Island be requested to fill up their two Battallions as soon as may be for the above purpose, that the State of Massachusetts Bay be desired to hasten on their four Battallions they have ordered for that purpose, that the State of Connecticut be desired to raise and equip one Battallion of 728 men with all speed, and direct them to the above service; and that the State of New Hampshire, be desired to raise and equip 300 men with all speed and direct them to the above purpose.

A true Journal of Proceedings Signed by order of the afores^d Committee.

P^r STEP. HOPKINS, *Pressd^t*

Attest: W^m PYNCHON, Jun^r Cler

SPRINGFIELD, August 6^th 1777.

SIR: The Committee from the several States of New Hampshire, Massachusetts, Rhode Island, Connecticut & New York, in pursuance of the proposal of the State of Massachusetts Bay have met and conferred upon the several subjects therein

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recommended, and have passed a number of Resolutions, a copy of which I am directed to transmit to you to be laid before the Hon^ble^ Congress for their consideration, the first four of those States the last winter passed Acts to prevent monopoly and oppression in order to support the Credit of their paper Currency but the other united States not judging it Expedient to enact Similar Laws hath in a great measure prevented their answering the good purposes for which they were intended, & has rendered it very difficult, if not impracticable, fully to execute the same, other measures therefore have now been agreed upon for the same purpose, the success of which we apprehend will greatly depend upon the Concurrence of the united States in the same—we are so fully impressed with the Importance of drawing in & sinking the Bills of Credit emitted by the several States, & of the necessity of large & frequent Taxations to supply the Continental Treasury & to defray the Charges of Government, that we have earnestly recommended it to the several States we respectively represent, and we apprehend it will be absolutely necessary for similar measures to be adopted by the other united States in Order to support the Credit of the paper currencies, and to prevent any further Emissions for the purpose of defraying the Charges of the War & the support of internal Government, we submit the whole to the Honorable Congress, that such measures may be taken for that End, as they in their great wisdom shall think proper I am in behalf of the Committee,

Sir Your most obedient & most humble servant,

STEPHEN HOPKINS.

A true Copy. Attest: W^m^ PYNCHON, Jun^r^ Clerk.

(Indorsed.) IN COUNCIL OF SAFETY, Aug^t^ 27^th^ 1777.

State of New York, ss.—A. M. Read & Referred to his Excell^cy^ the Govenor & that he be requested to lay the same before the Legislature at their first meet'g.

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*Convention of the State of New York to Ja. Sullivan, Chairman of Committee of the House of Representatives of Massachusetts Bay.*

[Miscel. Pap. 39: 438.]

SIR: The Convention rec^d^ your favor of the 9^th^ Feb^y^ last together with the enclosed acts of your Legislature by which the mischiefs consequent upon a depreciation of the Continental currency are attempted to be remedied. How far the mode therein prescribed will answer that valuable purpose must depend upon the circumstances of the several States to which they extend, & of these without doubt the respectable Legislatures by whom the laws were framed are the best Judges.

We have also seen with pain the evils you point out & have endeavored if not wholy to remove, at least to lessen them by means that we should much earlier have fallen upon had not the variety of cares incident to an invaded State distracted our attention. we do ourselves the honour to enclose our resolutions on that subject, & will endeavour to explain the principles on which they are founded.

We conceive that money meerly as such has no intrinsick value, & is only so far useful as it represents the circulating property of a state, or in other words serves to measure the value of those Comodities which are exposed to sale. Thus in the infancy of states one commodity is bartered for another & that for which there is the greatest demand & which is most frequently bartered becomes the money of the State. Thus at Athens oxen & at Rome sheep were the curreney of the country & the purchaser of a piece of Land or other commodity cast up in his mind the number of sheep or oxen that it was worth & from thence ascertained its value. But as barter is attended with many obvious inconveniences specie was substituted, which represents the whole transferable property of a State, & is of course in the hands of the buyer either Sheep, oxen, corn or anything else which the seller prefers to that which he has to despose of.

Money then being only the representative of the transferable property of the

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State in which it circulates, its value can never exceed that of the whole quantity of property in circulation. If therefore by any extraordinary incident one half the merchandize of a state was to be anihilated at a time when it could have no communication with any other country, the money must depreciate exactly in the same proportion, or in other words, merchandise would rise to the double of its former price. So likewise if the same quantity of merchandise remained & a double proportion of money was emitted at once the effect would be the same because the property of a State & the representative of that property, must always be exactly alike. Both these things have happened to us. By the stopage of our trade the quantity of transferable property is lessened & the large emissions of paper for the necessary purposes of the war encreased our money. Happily for us the timidity & disaffection of many enduced them to draw out of circulation all the Gold & Silver & even the bills which had been current before the commencement of the war considering them as more valuable than those which have been since emitted, By which room was made for the continental Bills & no emmediate mischief arose from their emission.

But this could only operate to a certain degree. At present we see with sorrow in the rise of every necessary of life that the Continental emissions have greatly exceeded the quantities of money which were by the above means drawn out of circulation.

The depreciation of the money being then the root of the evil, which we lament, the question recurs how it is to be prevented—that what we shall now say may not be understood to imply the most distant censure upon the measure which the wisdom of the New England states have thought fit upon the most mature deliberation to adopt, we beg leave to premise that we argue meerly from the present situation of our State in which the evils above mentioned arise from the causes we have hinted at—where they were occasioned meerly by the spirit of monopoly which your laws seem to suppose without doubt your remedy is the most efficatious that can be applied.

But sir with us its operation would be directly contrary to what we could wish. For as the evils we complain of arise from our having more money than is necessary for the purposes of circulation, whatever lessens that circulation will increase the evil.

That the limitation of the prices of merchandizes will have that effect is obvious from an attention to the above principles. For if, as has been asserted, all the money in the State represents all the transferable property of the state, it must follow that every part of that money represents a proportionate part of such property & of course is of some value. thus if one hundred thousand bushels of wheat & nothing else where to be sold in a state whose cash was 100,000 dollars, each dollar would represent a bushel of wheat—double the number of dollars & each dollar represents half a bushel of wheat. In such a state declare by law that no more be given for a bushel of wheat than ½ a dollar it must follow (if the law is executed) that 150,000 dollars each of which before represented ½ a bushel of wheat now represent nothing, & are of course worth nothing nor can it be said that this deficiency is made up by the encreased value of the other 50,000 for when a man sells a bushel of wheat for ½ a dollar he knows not whether he will be able to bring it into circulation & since it is three to one that he cannot it is three to one that he receives waste paper enstead of money.

But the evil does not stop here. As the difficulty of bringing this money into circulation renders it hazardous to receive it—it can no longer be considered as the stated representative of any property & the people unwilling to exchange for it commodities which have an intrinsick value will instead of selling barter them for other necessaries. When this takes place all the merchandize of a state become its current cash, & not only operate as an emission of money equal to the whole circulating property of such state but from its intrinsick value destroys the currency of money whose precise worth is unknown.

Lest what we have said should be carried further than we would wish you will give us leave Sir to observe here that the above principles are applicable only to money considered meerly a medium of trade. It may so happen that the article

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commonly used as a medium has an intrinsick worth even when out of circulation, as in the case of precious mettals, when in our Idea they loose the name of money and become a merchandize. So likewise the Continental bills have an intrinsick worth, even when they do not circulate & must be considered as notes payable by the Continent at a future day in which case their worth must be determined by the certainty of the payment, the distance of the period, the loss of interest, & the hazard of keeping them and in some measure by the present wants of the possessor, which while his money ceases to circulate it cannot satisfy.

We would further observe that where the spirit of monopoly does not render it necessary the limitation of prices operates as a heavy & partial tax upon Sellers—For if in the State last mentioned where two dollars are the just representatives of a Bushel of Wheat, you lower the price to ½ a dollar you immediately tax the seller three ½ dollars & if you take into consideration the chance of his not being able to pass his half dollar you deprive him of ¾ thereof. Add to this that such tax generally falls upon the enteprising & industrious, thro whom alone a state can increase the quantity of merchandize on which the value of money depends. Besides that, Laws of this kind cannot without extreme severity be carried into execution, as when eluded serve only to weaken the authority of Government & introduce a spirit of chicane totally repugnant to that open virtue, which is the bases of a free constitution.

It is an old observation that restrictions on trade always increase the price of those articles which are the object of such restrictions, since the Seller never fails to add to his proffits a certain Sum adequate to the risk he incurs.

These reasons & others that apply more peculiarly to the situation of this State as the granary for the Continental Army obliges us to give every encouragement to husbandry which has met with very severe checks in the almost continued demands for the Militia & which w^d be totally ruined were we to venture on the experiment you recommend.

You will therefore observe that our sole object in the resolutions enclosed is to draw as much money as possible out of circulation & we greatly Lament that we have not yet been able to proceed (for want of an organized government) to taxation which is in fact the only adequate remedy for the evils we complain of. Nor can it be burthensome to the people (as might easily be demonstrated) while so much remains as is sufficient to answer the purposes of circulation since all that is taken adds to the value of what is left—and there are even some cases in which not only the publick, but individuals would gain by being taxed 15s. in the pound.

We make no observation on your embargo upon every article necessary for our Subsistence. The States of America are independant of each other, Massachusetts bay has had some experiance of the calamities of war—all the Continent pitied and contributed to her relief. We too have severe trials. If she lost her Capital the rest of her Country remained untouched & the sea was open to her ships. We, Sir, have seen our Country ravaged our people flying from their habitations & by the loss of our Capital are excluded from the sea and deprived of every foreign necessary of life which we do not receive from our sister States.

As we doubt not the sincerity of the affection that you (in the name of your State) profess for us, we are inclined to believe that you have not in your Letter done full justice to the reasons which induced your Legislature to deprive us of this last resource, since we can not but persuade ourselves, that those must have been infinitely more cogent, which could silence the voice of humanity pleading in behalf of an ally involved in all the calamities of war. If we were disposed to retaliate you are sensible, sir, that by a similar restrain upon the exportation of our commodities we could greatly distress your State. But our humanity & affection are not limited by the boundaries of States. We consider all America as one community & shall ever take a pleasure in relieving the wants & aleviating the distresses of every part thereof.

Give us leave however before we conclude to observe that many of our merchants whose prizes were brought into your ports who had purchased goods in your State previous to your embargo must be great sufferers thereby unless they are permitted

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to remove them, nor can we see any reason to withold such permission tho' we should admit that Coffee, Chocolate & Sugar are essential to the supply of your Troops, since from the great number of captures we are enduced to believe that enough will remain for their support even after the removal of any that may have been purchased by the Inhabitants of this State. I am sir &c.

[March 8.]

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*Petition of James Shuter.*

[Petitions, 33: 378.]

To the Honourable Council of Safety of the State of New York.

The Humble petition of James Shuter of Schenectady of the County of Albany, Humbly Sheweth,

That your Humble Petitioner agreed with Capt Peter Van Beuren to bring your petitioner and family down to New windsor Comeing Down as far as Esopus Landing where Capt Van Beuren as some goods to unload. Capt Van Beuren in conversation with some of the Esopus people was inform'd that at New windsor all the vessels that were to be got or seen were pressed to convey Troops to Albany and therefore Refused to proceed on his voyage down to New windsor with your Petitioner and family unless your Humble Petitioner con'd obtain for Capt Van Beuren of the Council of Safety a certificate or pass by and under which the said Capt Van Beuren may go Down and come up again free from being impressed into the service of conveying Troops, and another Reason which the Capt gives to your Humble Petitioner which makes him fearfull of being impressed is that said Capt Van Beuren has sundry goods on board of the Inhabitants at Albany which he was to leave at Kinderhook in his comming Down with your Petitioner, which he has not done, your Humble petitioner therefore prays the Honourable Council to grant a free pass to Capt Van Beuren to excuse him from being impressed as aforesaid, that your humble petitioner and his family may proceed on their voyage, and not be detain'd. And your humble petitioner shall ever pray.

JAMES SHUTER.

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*Petition of the Inhabitants of Charlotte County.*

[Assembly, Pap. 1: 3.]

The Petition of the Subscribers Inhabitants of Charlotte County, Most Humbly Sheweth,

*Whereas* we the Inhabitants of the Districts of New Perth, White Creek, Black Creek, Grandvile, Skeansboro, & Kingsbury, who are Emigrants [many of us] from Britain and Ireland willingly Encountered the Fatigues & Hardships Incident to a Wilderness and Uncultivated Country in High Expectations of Enjoying the Command of our persons and Propertys undisturbed from the Tyranical Incroachments we were Exposed unto in the Land we had left—the Inestimable value of which Blessings made us with a Redy ardour Embrace the Cause of our Country—our men with volentry Resolution went to the Support of Tyconderoga & Continued with Undaunted Spirit untill the unhappy day of its Evacuation—unhappy day Indeed for then Commenced our Misserey our Distraction of Minde & the Destruction of our *all*. The Rapid approach of the British and Savage Enemy made us Tremble —meantime Gen[l] Schuyler gave orders for us to withdraw & we Imediately fled to the ajoyning State of Massachusetts Bay & ajacent parts thereof where we yet remain Groaning under the Hardships we feel & Trembling at the Hardships we fear threw an Inclement Winter Season—having left behinde us our Crops, Houses, Farms, Utencils, Furniture, ne our *all* but some Cloathing & a few Cattle that Escaped the Hands of the Enemy.

And as the Crops and Building on many of our Different farms have been apprized by order of our Committee, We therefore who have been the Committees & Inhabitants in s[d] Districts Most Humbly Implore your Honors to Take this our Distressed



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Situation into Your Serious Consideration & waiting for such Assistance as your Wisdoms shall Devise for our present Relief we as in Duty bound shall ever pray.

JOHN WILLIAMS, *Chairman of County Committee.*
JOHN ROWAN, *Chairman of New Perth Committee.*

John Hunsdon,
Jam: Getty,
Dan[l] M[c]Cleary,
John M[c]Arthur,
John M[c]Collister,
Hamilton M[c]Collister,
John Savage,
Edward Savage,
James Savage,
John Gray,
Ruben Wood,
James Henderson,
Edward Long,
John Hopkins,
Robert Hopkins,
John Martin,
John Nisbett,
Hugh Martin,
James Ramage,
George Guthry,
Samuel Guthry,
John Guthry,
James Moore,
Hugh Moore,
Robert Armstrong,
Tho[s] Armstrong,
James Armstrong,
Robert Lytle,
September 1[st] 1777.

Will[m] Hugins,
Allen Hunsden,
Andrew Lytle,
James Lytle,
John Armstrong,
Robert Armstrong,
Joseph Willson,
Patrick Willson,
John Rowan, Jun[r]
Wil[m] Boyd,
Rob[t] Boyd,
John Barns,
John Barns, Jun,
Robert Hopkins,
Joshua Conkey,
James M[c]Farland,
John M[c]Farland,
Sam[l] Willson,
Robert Qua,
Alexander Turner,
Reuben Turner,
Zedick Averest,
Amasa Moss,
Seth Sherwood,
Anas Lukas,
Joseph Transworth,
Ruben McQuilthy,
Israel McQuilthy,

Levy Wright,
Jacobus Vandozer,
David McQuilthy,
Elishama Towzer,
Daniel Brundage,
Tho[s] Boggs,
W[m] Higby,
Paul Avore,
Josiah Avrel,
Hospitle Biglow,
Zebulon Tubbs,
Setagis Ranger,
Zacheus Granger,
Dan[l] Granger,
Azrial Blanchard,
Aron Fuller,
Aron Fuller, Jr.,
Epheram Fuller,
Matthew fuller,
Nathaniel Harvey,
John Thomas,
Joseph Mitchell,
Caleb Harbutt,
Jeremiah Burress,
John Austin,
John Watson,
Levy Stockwell,
Samuel Deewy.

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*Roll of Oaths of Allegiance.*

[Miscel. Pap. 37: 542, 550, 554, 558, 560, 597.]

I do most solemnly swear in the presence of Almighty God that I will bear true allegiance to the State of New York and in all things do my Duty as a good and faithfull subject of the said State.

| | | |
|---|---|---|
| Sworn Before me, Christ[r] Tappen, Major. | Barent BVDB Vandenbergh, Jun[r]<br>Robert his mark x Ruandosen, | 1777. May 14[th] |
| Sworn Before me, Christ[r] Tappen. | Adam his mark x Kilmer,<br>Peter Butler, | May 15[th] |
| Sworn Before me, Mathew Cantine. | Samuel his mark x Davis,<br>Jacob Kangjase,<br>Samuel townsend, | May 19[th] |

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Sworn Before me,
Mathew Cantine.

Williames his x mark Merker,
Christian his x mark Winne,
Israel fusalaer,
Jacob Schurman, Ju^r
Samuel Haines,

1777.
May 21st

John his x mark Haver,
William Mc dermut,
James his x mark Turner,
Anthony his x mark Beaver,
Fite his x mark miller,
Thomas his x mark Everts,
Johan his x mark Christ Wagener,
Samuel his x mark Livingston,
Nicholas his x mark Hornbeek,
Abraham his x mark Free,
Coenradt his x mark Decker,
Peter his x mark Blasse, Ju^r
Dedrick his x mark Snyder,
Lawrence his x mark Vossburgh,
Ephriam his x mark Rees,

Peter his x mark White,
Christian Jenkins,
Jacob Evans,
Samuel his x mark Holenbeek, Jr.,
Jacob Volant,
William his x mark pryder,
Daniel his Λ mark McLean,
Johannis his x mark Repenbergh,
Jacobus his x mark Decker,
Samuel his x mark Lasher,
William Bryend,
Peter Bain,
Johannis his x mark Luyk,
Frederick Sleokt,
Hans his x mark Koen,
Philip his x mark Lown,
Joris ribenburg,

Sworn Before me, June 10, 1777.
Peter Pr Vanzandt.

Arent Williams,
John his x mark Breese,
John his x mark Morrison,
Dirck his x mark Vandeck,
Johannis F. his x mark Bressee,
Andris his ꝗ mark Bressee,
Murphy McIntire,
Johannes Schauerman,
Celjei his x mark Smith,

Hendreck his x mark Lantmar,
Nicolas his x mark Bressee,
Philip H. his x name Coon,
David his x mark Rykert,
Hendrick his x mark Rypenbergh,
Leonard Leonard,
David his x mark Rypenbergh,

Sworn Before me,
Mathew Cantine.

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| | | |
|---|---|---|
| Sworn Before me, Peter Pr Vanzandt, Major. | Martin his M mark Luyk,<br>Nicholas his N mark J Jagher,<br>John Gust penckel,<br>Johannes Van Doesen,<br>Bernt Hat,<br>William his x mark Anderson,<br>Hendrick his HS mark Spencer,<br>Emerick his x mark Decker, | 1777. June 10th<br>do<br>do<br>do<br>do<br>do<br>do<br>do |
| Perrie Van Cortlandt, Prest | Joseph his x mark Turner,<br>Bloomer Nelson,<br>John Middagh,<br>Henderick Bush, Jun., | May 24th<br>May 31st |
| Sworn before me, Robt Benson, Secy. | of Coenrad the mark x Hoffman,<br>of markus the mark x Lasher,<br>of Brewer the mark x Decker, | June 3d |
| Sworn Before me, Robt Benson. | Henry Clum, | June 4th |
| Sworn before Robt Benson. | Casper the mark of Ɣ Landtmar, | do |
| Sworn before me, Mathew Cantine. | Johannes his HK mark Kilmur,<br>Peter his x mark Haues,<br>John L. his x mark Decker,<br>Hendrick his x mark Decker, | June 7th |
| Sworn before me, this 16th July, 1777. Robt Benson. | Asa Lanfear,<br>Samuel Louner,<br>David Southard,<br>Gidion Gifford,<br>Samuel Hewin, | |
| Sworn before me, this 16th July, 1777. Pierre Van Cortlandt. | Martin Troop,<br>Fredrick bort, | |
| Sworn before me, this 18th July, 1777. Pierre Van Cortlandt. | Joshua Bough,<br>Michl Rittman, | |
| Sworn before me, this 18th July, 1777. Robt Benson, Secy. | James J. Quigley's mark — | |
| Sworn before me, this 19th July, 1777. Robt Benson, Secy. | Walter Carpenter, | |
| Sworn this 31st day of July, 1777, Before me, John McKesson, Secy. | Hendrick his x mark Klump, | |

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Sworn this 16th of Augt
Before me,
Robt Benson, Secy.

John Romaer,

Sworn the 20th Augt 1777,
Before me,
John Jay.

Jan Staaet,
pete ———
Cornelius Blauvelt,
Jacob Straate, junr

Sworn the 20th Aug. 1777,
Before me,
Rob. Benson, Secy.

Martin M K (the mark of) Cooper, of manor Livingston,

Sworn before me this 1st
Sept. 1777.
Rob. Benson, Secy.

John B. Dumond,
John A. Van Alen.

We whose names are hereunto subscribed do severally swear on the holy Evangelist of Almighty God that we will bear true faith and allegiance to the State of New York. That we will do our Duty respectively as good subjects of the said State that we will respectively discover all plotts & conspiracies which may come to our knowledge respectively against the said State or the United States of America. That we do respectively take this oath without any Mental Reservation or Equivocation whatsoever and mean faithfully & honestly to perform the same.

Mathew McKinney sworn with uplifted hand, being one of the people called seceders.

Thomas Briggs,
William Wing,
John x (his mark) Finch,

Sworn the 22d day of March 1777 by John McKesson, Secretary of the Convention of New York.

William Bedell,
Sworn the 2d day of Septr 1777,
Before me,
John McKesson, Secry.

Malcom Morrison,
Moses Knap,
Jacobus oosterhoudt,
William Wood,
William Bliss,
Frederick Z (his mark) Countryman,
John Saels,
David pembrook,
Jacob Hoogeboom,
Nathan Shelden,
Daniel Crane,
William bedell,
Daniel Chase,
Tallman Chase,
Enoch Hoag,

---

*John Session to John McKesson.*

[Miscel. Pap. 37: 461.]

WESTMINSTER, 4th Septemr 1777.

SIR: it gave me peculier satisfaction when I found not only by your letter but by the Resolves you therein mention that our affairs have been upon the Carpet in Congress but it by no means answers the end (at Present) to stop the progres of the faction respecting a new State. I would have sent you one of the Connecticut Papers wherein is contained the Construction those people put upon the Resolves of Congress, but I conclude you have seen it so that it will be kneedless if they had Resolved they would break their necks if they Did not Desist. I dont Now but those people might have thought they were in earnest but the Honle Congress and Council of this State will become more sencable (I trust) of the Temper and Disposition that actuates those people than they have been and I am sorry they hant before now if it had been seen sooner it in all Probability might have been Effectual but the Event now I am unable fully to Determin altho I can conjecture & is what

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I should Dread, my opposition has rendered my situation somewhat unhappy at Present but trust shall find the old maxim true in the end (viz) honesty is the best polacy. I have been a sort of a micaiah in the affair and I beleive many would be glad I were in the house of Jonathan and have reason to expect this will be my fate if something is not done verry soon for I find I am highly threatned but if sumthing is not Done soon shall be obliged to give up the Point. As to News I have nothing special to write only it is a verry sickly time among us and in Neighbouring Towns should be glad of a Line from you whereby I may understand what your Seutemens are abought our affairs as I want to act with safety and prudence both for my self, State and Country.

Sir, I am with Due respect your most obedient serv$^{t}$

JOHN SESSIONS.

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*Bond of John Bradt.*

[Miscel. Pap. 37: 421.]

Know all men by these Presents that we Bernardus Bratt & John Bratt of the County of Albany are held & firmly Bound unto Peter Van Brugh Livingston Esqr as Treasurer of the State of New York in the sum of one thousand Pounds current money of the said State for the payment whereof well & truly to be made we bind our selves, our heirs, Executors & Administrators jointly and severally firmly by these presents sealed with our seals dated the first Day of September 1777.

Whereas the above John Bratt hath been apprehended as having been guilty of inimical Practice against the united American States & confined on Board the fleet Prison from whence he is now discharged. The Condition of the above obligation is such that if the said John Brat do and shall in future faithfully demean himself as a good subject of the State of New York, Then the above obligation to be void else to remain in full force.

BERNARDUS BRAT,
JOHN BRAT.

Sealed & delivered in the presence of
ROB$^{T}$ BENSON.

The words *do and in future were* first interlined.

---

*An Ordinance*

To prevent the discharge of those prisoners who shall not be indicted and tried in the Supreme Court of judicature for the State of New York at their next sessions. Read & approved P. M. Sept$^{r}$ 8$^{th}$ 1777.

[Miscel. Pap. 37: 409.]

Whereas the Term of July last past stands adjourned to the Second Tuesday in this month of Sep$^{r}$ and

Whereas by reason of the shortness of the said Term and the vast Number of prisoners now under arrest & confim$^{t}$ in the Common Goal of the County of Ulster and on Board certain Vessels appointed as prisons for the purpose and who stand charged some of them with divers high Crimes and offences and others of them with being inimical to this State and whose going at large will be dangerous to the same. It will be impossible for the said Supream Court in the Course of the said Term to deliver the said Goal and other prisons of all the prisoners according to the ordinary Forms of Law without manifest danger to the Safety of this State, Be it therefore and it hereby is ordained and Declared by this Council that the said Goal and other prisons shall not be delivered by the s$^{d}$ court at the s$^{d}$ Term of such of the said prisoners as shall not be indicted and tryed in and during the said Term any Law, Usage or Custom to the Contrary thereof in any wise notwithstanding.

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*Report on Memorial of the Committee of Orange County.*

[Miscel. Pap. 39: 283.]

The Sub-Committee to whom was refered the memorial from Orange County, and the Resolutions of the Committee of Dutches County Requesting a Regulation for the Sale of Salt, Pursuant to the Resolutions of Congress of the 30th of May last have according to Order taken the Same into Consideration and agreed to the following Preamble & Resolutions, which are Submitted.

Whereas the General Committees of several of the Counties within this State with a view to promote the Publick Service have prohibited the Sale or removal of the Salt which was Stored in the Said Counties and it is represented to this Convention, that the Inhabitants of these Counties are in great distress for want of Salt and that the Quantities now in store will afford them but a very Slender supply for which they have sollicited the General Committees with the most earnest Importunity, and

Whereas the Honourable Congress of the United States by their Resolution passed the 30th of May, have recommended it to the Committees of Observation & Inspection in the United Colonies so to regulate the price of Salt, as to prevent unreasonable Exactions on the part of the Seller, having due regard to the difficulty and Risk of Importation; Subject however to such Regulat^s as had been, or should hereafter be made, by the Legislatures of the respective Colonies and the General Committee of the County of Dutches, and some of the Inhabitants of the County of Orange having applied for the Directions of the Convention of this State with respect to the Distribution of the Salt reserved in those Counties, among the necessitous Inhabitants.

*Resolved* therefore that an Equal Distribution as near as may be, shall be made amongst the Inhabitants of the Respective Counties, of all the Salt which may be found in any store within each respective County in this State, and to prevent unreasonable Exactions and Extortion on the one hand to do Justice to the Owners of the Salt on the other hand.

That the Respective Committees of each County appoint as many persons as they shall judge proper.

*Resolved* that —— men be appointed in Each County to take charge of all the Salt in Each County and that the persons so appointed give Publick notice by advertisements throughout the Counties, That they will on such sett Days, not Exceeding Three Days in Every week attend to Distribution of said Salt, in the maner & form Following: 6 Quarts to every Soul in a family, and the Commissary so appointed as aforesaid be Impowered to Exact and to Administer an Oath, to the Head of Each Family That shall appear for his proportion of said Salt, The number of persons in his or her family and the Quantity they already have, and if the Quantity they have shall not amount to their Quota as aforesaid, Then the Commissary shall furnish them with so much as shall make up such Quantay as is before prescribed.

*Resolved* that the person or persons So appointed shall not receive Exceeding thirteen shillings pr Bushell for said Salt which They shall pay to the Owners or or order within ten Days after the Sale of the Same.

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*Order for the better guarding the Prisoners in the Fleet Prison.*

[Miscel. Pap. 37: 761.]

Sep 5 1777.

M^r PRESIDENT: I move that Cap^t Schonmaker do make immediately a Return of all the men in his company as well officers as soldiers and the time of their Inlistment also that he cause all such of them as are not on Duty to be paraded at six o clock this afternoon at the Court house, Rendering an aco^t of such as Do not appear.

*Ordered* that Cap^t Schoonmaker send a Leiu^t one Serga^t one Corporal & 13 men to the fleet prison to gaurde the prisoners under the Direction of the Warden and that they be Relieved every 24 hours, another officer with one Serga^t one Coporal & 13 privates to mount gaurd at the Court house to gaurd the Prisoners there, also to

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keep out two centinals at the powder house and other proper places at his Discretion, Directing them to keep on their feet with their firelocks in their hands and not to go to exceed 20 yards from s^d posts, and every two hours a Serga^t or Corporal go round and relieve the centeries and betweene the hours of twelve and four in the morning, a commissioned officer to go the rounds to see that the centinels do their Duty, and one of the officers make a morning Report of the occurrancies that happen every night during the absence of the Governer to the Council or Legislature for the time being, also that all such as are not on Duty be duly convened at six o clock in the morning & six in the afternoon on the green, keeping them at least one hour under arms each time.

*Resolved* that the warden of the fleet prison cause all prisoners on board the fleet to be put below Deck at sun Down every evening, Locking all the cabin Doors & scuttle, baring the gratings of the main Hatches and no prisoner be suffered to come on Deck untill sun Rise the next morning on any pretence whatever.

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*Petition of Capt. Samuel Paine.*

[Petitions, 33: 305.]

To the Honourable the Council of Safety for the State of New York.

The Petition of Samuel Paine, humbly sheweth,

That in order to serve my country the more faithfully in that trust that was reposed in me I disengaged myself from my own particular concerns by disposing of my affairs in such sort as to have no other Business to pursue and that as matters now stand with me since the disbanding of Major Wheelock, Except the Honourable Council should be pleased to interpose must be greatly to my Damage. Now gentlemen your Petitioner request that you take my case into your serious consideration and either let me be continued in your sarvice or by some other mode which you in your wisdom shall think reasonable and just grant me some Amends as my Expenses has been very great, have pursued no other Business only striving to compleat my company for allmost five months, and in my Last journey Lost my hors. Gentlemen your compliance to this my Petition will much oblige your humble servant. SAMUEL PAINE.

KINGSTON, 8^th Sep^t 1777.

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*News from the Northern Army.*

[Miscel. Pap. 36: 602.]

That the Northern Army is two to one of the Enemy, 6000 men 300 stat. at Tie. endeavouring to get their Cannon down, 500 Ind^n with Burg^e 200 left him; only 300 left, last ret. 5089—Militia uncertain. Nixen with Warner, is expected with 4000 men. Genl Fermoi going to Cong. with Liberty from Genl Schuy^r Arnold resigned; his resignation accepted. St Clair commands—Nixen has wrote a resignation to Congress—Resignations owing to Discontents in the Army—New Eng^d men much displeased—Genl Schuyler ordered the Commissarys to deliver goods indiscriminately—Oneida Indians s^d at Council they would assist if a reinforcem^t was throun in.

An Ind^n said 200 Militia an advanced party were attacked by the Indians & fled—Fisher advanced with a party—11 Indians were killed on the spot—the loss of Militia was by the first fire—500 Militia pushed on—200 returned—Warner at Grants with 3000 men—Main Body of the Enemy at Fort Edward—took 2 Battoe men at Stillw^r—party of the Enemy coming by the way of Bennington are retreated—that the Officers with him are Gen^l Fermoi's Brigade Major and a Cap^t of the Canadian Volunteers.

on Thursday or Friday 15 or 16 waggon load of Powder came from Still Water to Albany—That on Thursday Gen^l Orders directed all Baggage Except that [of] Genl Officers was removed so'w^d—That Colo Livingston is at Johnstown—that he exam^t left the Army on Tuesday last—that the Detachm^t he Exam^t commanded is now Comm^d by Capt De Luce at StillWater—That Colo. V Scaack left Albany on Wednesday & returned on Thursday by orders.

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that a Council was to be held on Thursday & 600 of them were expected at Albany in six days.

Reported by Canadian Prisoners that the Regulars & Brunswickers disagree—fought at Skeensborrough ab$^{t}$ water out of a Well, That 60 Brunswickers 25 Regulars were killed.

That he has Gen$^{l}$ Schuylers pass to go to Congress.

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*Petition of Samuel Crygier.*

[Assembly Pap. 1: 21.]

To the Honorable the House of Assembly at Kingston.

The Petition of Simon Crygier Most Humbly sheweth,

That your Petitioner having been an officer in the Continental Service, and for some past conduct which was heard at a General Court Martial your petitioner was ordered to be Cashiered.

That your Petitioner is now confin'd in this Goal for some crime without any Kind of Hearing; that your Petitioner is willing to produce bail for his appearance when called on, and willing to go as Volunteer in the Continental Service on any Command—or any in manner willing to Satisfy any Demands if possible against him which Reasons is the only Motive of Giving you Gentlemen this much Trouble and Humbly Request That you'l be pleas'd to Consider his former Services, his long Confinement in this Infamous character and in some manner Relieve him from this Confinement & the Honour will be Ever Duly Esteem'd by, Gentlemen, y$^{r}$ Petitioner, SIMON CRYGIER.

KINGSTON GOAL, 22$^{d}$ September, 1777.

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*Petition of the Inhabitants of the Great Imbought.*

[Associations, 30: 540.]

To the Honb$^{le}$ Councill of Safety of the State of New York.

The Petition of the Subscribers Inhabitants of Great imbought in Albany County Humbly Sheweth,

That whereas the Late Honb$^{le}$ Councill of Safety Generousely Provided a quantitee of Salt for the use of this State to be Divided by Commissioners for the use of the Inhabitants in General—& as only 9 Scheple was allowed for this District by s$^{d}$ Commissioners which was taken into possession by our Committe & upon Devision only Extended at the rate of 2 quarts pr. head to the Members of said Committe & the officers of the Regement to which we belong who live in this District—by which Menes we are Deprived of this nesessary Articles Upon which Almost our Very Lives so very much depend.

Therefore we most Earnestly beg Such measures may be Taken by Your Hon$^{ble}$ Board as may Alvate our Present Nesessity & Furnish us with that much needed article whilst as in Duty bound we Shall Ever Pray.

Zacharius Snyder,
Henry Person,
Peter Wilse,
James Person,
Aberham Person,
Peter Becker, juner.
Peter Becker,
John Beker,
John Person,
Chrystiaen Meyer,
John Fiero,
John B. Dumond,
John his x mark Sax,

James Milliken,
Johannes Overbagh,
John Walker,
William Deuett,
Peter Lawrence,
John his x mark Burket,
David Dumond,
Well Vandyck,
Francis his x mark McDermit,
Catherine her x mark Atkins,

Hans his x mark Kerr,
Jeremiah his x mark Broadback,
Iasaac his x mark Titshorn,
Chriastian his x mark Sax,
Petrick Clemens,
Andres + Amen,
Petrus Maurer,
Jacob Muser,
Adam + Lescher,
Thomas Musser.



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*Petition of William Arnold.*

[Petitions, 33: 260.]

To the Honorable the Council of Safety for the State of New York.

The Petition of William Arnold of Marbletown, Ulster County, Humbly Sheweth

That your Petitioner on the 1st of June was Employed by the Commissioners appointed by the Convention of the State for carrying on the Rope works in Kingston as Arietor [? Director] of that Business.

That your Petitioner at the Perticular Request of the said Commissioners tooks he then was Master of for the purpose of carrying on the said work, which he could not have done as there was not any thare to be got in the Stat.

That at the Burning of the Town of Kingston, your Petitioners said Tools were destroyed to the Great Loss of your said Petitioner. Your Petitioner therefore most humbly prays that the Honorable the Council of Safety will be graciously pleased to take into their serious consideration his great loss, he has sustained in the late fire and such Relief as the Honorable Hous shall in thare wisdom think just and equitable. And your Petitioner as in duty Bound shall ever pray.

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*Parole of Lieutenant McDonell.*

[Miscel. Pap. 36: 546.]

I Angus McDonald Lieutenant in the Sixtieth or Royal American Regiment Now a prisoner to the United States of America and enlarged on my parole, Do promise upon my word of Honor that I will continue within one Mile of the House of Jacobus Hardenburgh & in the Town of Hurley in the County of Ulster, and that I will not do any Act, Matter or Thing whatsoever against the Interests of America; and further that I will remove hereafter to such Place as the Governor of the State of New York or the President of the Council of Safety of the said State shall direct and that I will observe this my parole until released, Exchanged or otherwise ordered.

ANGUS McDONELL.

KINGSTON, 12 Oct. 1777.

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*Bond of John Van Wagenen.*

[Miscel. Pap. 36: 540.]

Know all men by these presents that we Aert Van Wagenen of Marbletown in Ulster County Farmer and John Van Wagenen Junr of the same place Cord Wainer are held and firmly bound unto Pierre Van Cortlandt Esqr President of the Council of Safety in the sum of five hundred pounds lawful money of New York to be paid to the said Pierre Van Cortlandt or to his certain Attorney, Executors, Administrators or Assigns; for which Payment well & truely to be made & done we bind ourselves, our Heirs, Executors & Administrators jointly & severally, firmly by these presents.

Sealed with our Seals, and Dated this Twentieth day of October One Thousand Seven Hundred and Seventy Seven.

The condition of the above obligation is such that if the above bound John Van Wagenen Junr shall & do well and truely in all things behave & demean himself as good and faithfull subject of the State of New York, then the above obligation to be void, otherwise to be and remain in full force and Virtue.

AART VAN WAGENEN,
JOHN VAN WAGGENEN, Jr

Sealed & Delivered in the presence of us,
ROBT BENSON,
JOHN McKESSON.

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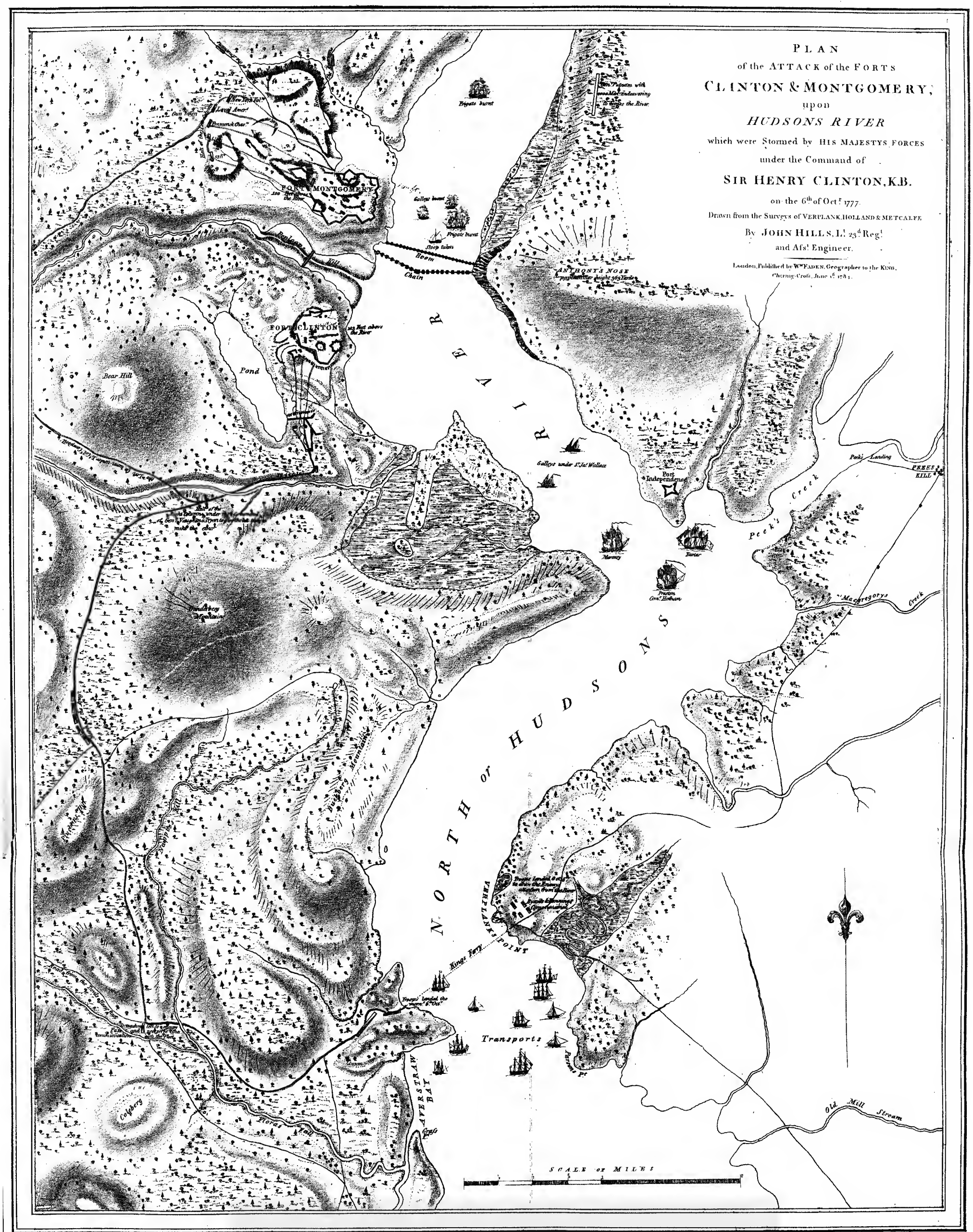
[Copied from the Original on file in State Library, Albany, N.Y.]

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*Declaration and Parole of Cadwallader Colden.*

[Petitions, 33: 313, 315.]

Do you in the presence of this Council acknowledge yourself to be a faithfull & true subject to the Independent State of New York or a subject of the Crown of Great Britain?

I shall ever look upon myself to be a faithfull & true subject to that State from which I Receive Protection and tho' I am Bound by my oath of Aligeance to be a subject to the Crown of Great Britain, yet as that Part of the Province of New York in which I reside is now under an Independent Government Entitled the State of New York I do hereby promise to be a true and faithfull subject to the Government of the said State so long as it shall Remain an Independent State, and I reside therein. CADWALLADER COLDEN.

MARBLETOWN, Oct^r 21^st 1777.

I Cadwallader Colden, admitted by the Council of Safety of the State of New York to be a prisoner of the said State upon my parole of Honor at the house of Jacobus Hardenburgh in Hurley, to be confined to the said House and that part of the Lott of Ground thereunto belonging which lies on the North side of the Public Road, do hereby solemnly engage upon my parole of Honor to be a true prisoner to the said State upon the Terms and within the Bounds above mentioned, and not to depart from the same on any pretence whatsoever without the permission of the said Council of Safety for the said State and that as such prisoner I will deliver myself up to the said Council whenever required.

Dated this 21^st day of October, 1777. CADWALLADER COLDEN.

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*Major Andrew Billings to* ———.

[Miscel. Pap. 36: 536.]

POUGHKEEPSIE, Oct. 21^st 1777.

DEAR SIR: Last Satterday came to town Henry Dawkins on his way to Fishkill. He has passes but suspected to be spurious for which I have confined him in Gole. Should be glad to know whether his tools may be delivered to my care and him to imploye in his branch. Meantime I am with esteem

S^r your very humble Servt AND^R BILLINGS.

---

*State of Burgoyne's Army on its Surrender.*

[Miscel. Pap. 36: 662.]

| | |
|---|---|
| British Prisoners by Capitulation, | 2,442 |
| Foreigners by Capitulation, | 2,190 |
| Sent to Canada, Canadians, Tories, &^c | 1,100 |
| Gen^l Burgoyne & Staff, amongst whom are four Members of Parliament, | 12 |
| Prisoners of war before surrender, | 400 |
| Sick & wounded, | 598 |
| Deserters, | 300 |
| Lost at Bennington, | 1,220 |
| Killed between the 17^th Sept^r & 18^th Oct^r | 600 |
| Taken at Tyconderoga, | 413 |
| Killed at Hubart Town & Fort Ann, | 213 |
| Killed in General Herkeman's Battle, | 200 |
| Total, | 9,678 |

37 Brass Cannon, Royals & Mortars— Implements compleat.
5,000 Stand of Arms.
400 sets of Harnass.

A Number of Harnass & Ammunition Waggons.
4 Brass Field Pieces at Bennington.
2 Do } at Fort Schuyler.
4 Royals }

(The above is a Statement so far as concerns *Burgoynes* Army, &^c)

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*Colonel Biddle to Mrs. Biddle.*

[Miscel. Pap. 37 : 450.]

CAMP WHITE PINE, (?) Octob^r 29^th [1777].

The Night before last The Hessians with near 3000 Men attempted to storm the Fort at Red Bank were repulsed about 400 or 500 killed & wounded Count Dunop his Brigade Major & upwards of 100 made Prisoner Their Cannon supposed to be left in the Woods Yesterday a most severe Cannonad all the morning. Their ships came up to the Cheveaux Defrize but were drove back with the loss of the Augusta of 64 guns and a Frigate some say the Appollo but certainly two, of which the Augusta is one I heard the Explosion at Germantown.

They determained to carry those Forts but such Another Repulse will drive them off. We move a few Miles Tomorrow.

Yours,
C. BIDDLE.

---

*Petition of Lieut. McDonell.*

[Petitions, 33: 317.]

To The Honourable the Council of Safety of the State of New York.

The memorial of Lieu^t Angus M^cDonell of the 60^th Regiment, Sheweth,

That your memorialist's case is singularly hard haveing been a prisoner to the Civil authority since the Commencement of the present war—sent to divers parts and places of confinement at his own Expence, and having at the same time a wife who for many years hath lost the use of Limbs, to be maintained and attended at Albany, all this on the small pittance of his pay as Lieu^t and not considerd by the Military as under their directions, hath no prospect of Exchange or Release, Restricted by parole from makeing his case known to any of the British Generals. The premises duely considerd, your memorialist hopes from the Candor & Humanity of your Honourable Board that you will indulge him with the like permission as hath been granted to several British officers at the Commencement of the War, that is to give him the oportunity and leave to Quite the American States with his family under the same restrictions with those who went, or whatever other restrictions your Honourable Board may think proper.

To the Honourable the Council of Safety.

HURLY, 27^th Oct^r 1777.

ANGUS M^cDONELL,
*Lieu^t 2^d Batt^n 60^th Regim^t*

---

*Report concerning Major John Wheelock.*

[Miscel. Pap. 39: 359.]

Your Committee having consulted the minutes of the late Convention and that of the Council of Safety relative to the appointment &c of Major John Wheelock by which as well as by every information they have received concerning the same, it appears to them that the said Major John Wheelock has not fulfilled his contract with this State, by raising a corps of men consisting of 150 within the time limited although at his request the said time was twice protracted to a longer day. That the officers commissioned in the said Corps was the Major, under him were Cap^t paine & Lieut Wheelock. That Capt paine has done his Duty & has had his acc^ts audited. That Lieut. Wheelock & part of non-commissioned officers & privates belongs to Capt Paine. That another part of a company under the command of Capt paine arrived at Kingston, and were put under the command of Capt Schoonmaker until the said pain should return to from the Northward whither he was sent by the late Council of Safety to collect the remainder of the said company, and that the said men so put under the command of Capt Schoonmaker soon after deserted. Therefore

*Resolved* that the said major Wheelock do forthwith attend on the Auditor Geneneral of this State and account to him for the several Sums of Money advanced to the said Major Wheelock out of the Treasury of this State to enable him to raise the said Corps destined to be commanded by him.

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*Pay Roll of Capt. Henry Godwin's 7th Company in a Regt. of Foot Commanded by Col. Lewis Dubois, in the Service of the United States of America, for the Month of October*, 1777.

[N. Y. Col. MSS. 101, 147.]

| NAMES. | Rank. | Commencement of time. | To what time paid. | Pay per month. | Whole time of service. | | Amount of pay. | | | Total amount. | | | Casualties. |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | DOLLARS. | MONTHS. | DAYS. | *l.* | *s.* | *d.* | *l.* | *s.* | *d.* | |
| Henry Godwin, | Capt^n, | Oct^r 2^d, 1777 | Oct^r 7^th, 1777 | 40 | 0 | 5 | 2 | 13 | 4 | | | | Missing since 6th October. |
| Solo^n Pembleton, | 1 Lieut., | do | do | 27 | 0 | 5 | 1 | 16 | | | | | do do |
| Ebenezer Mott, | 2 do | do | do | 27 | 0 | 5 | 1 | 16 | | | | | do do |
| Abra^m Leggett, | Ensign, | do | do | 20 | 0 | 5 | 1 | 6 | 8 | | | | do do |
| | | | | | | | | | | 7 | 12 | 0 | |
| Jacob Roose, | Serg't, | do | Nov. 2, 1777 | 8 | 1 | 0 | 3 | 4 | | | | | |
| Joha^n Bayles, | do | do | do | 8 | do | | 3 | 4 | | | | | |
| John Christy, | Corporal, | do | do | 7⅓ | do | | 2 | 18 | | | | | |
| Dan^l Johnson, | do | do | do | 7⅓ | do | | 2 | 18 | | | | | |
| David Godwin, | Drum^r, | do | do | 7⅓ | do | | 2 | 18 | | | | | |
| | | | | | | | | | | 15 | 4 | 0 | |
| Dugal McDugal, | Private, | do | do | 6⅔ | do | | 2 | 13 | 4 | | | | |
| Jacob Craft, | do | do | do | 6⅔ | do | | 2 | 13 | 4 | | | | |
| W^m Mooney, | do | do | do | 6⅔ | do | | 2 | 13 | 4 | | | | |
| Fred^k Weemire, | do | do | do | 6⅔ | do | | 2 | 13 | 4 | | | | |
| Jerem^h Simkins, | do | do | do | 6⅔ | do | | 2 | 13 | 4 | | | | |
| Jos^h Anderson, | do | do | do | 6⅔ | do | | 2 | 13 | 4 | | | | |
| John Mabin, | do | do | do | 6⅔ | do | | 2 | 13 | 4 | | | | |
| Sutten Green, | do | do | do | 6⅔ | do | | 2 | 13 | 4 | | | | |
| John Nichols, | do | do | do | 6⅔ | do | | 2 | 13 | 4 | | | | |
| Step^n Nichols, | do | do | do | 6⅔ | do | | 2 | 13 | 4 | | | | |
| | | | | | | | | | | 26 | 13 | 4 | |
| Elias Thompson, | do | do | do | 6⅔ | do | | 2 | 13 | 4 | | | | |
| Abra^m Delancy, | do | do | do | 6⅔ | do | | 2 | 13 | 4 | | | | |
| Jacob Van Gilder, | do | do | do | 6⅔ | do | | 2 | 13 | 4 | | | | |
| Jam^s Hunter, | do | do | do | 6⅔ | do | | 2 | 13 | 4 | | | | |
| Jacob Tobias, | do | do | do | 6⅔ | do | | 2 | 13 | 4 | | | | |
| Abra^m Seemor, | do | do | do | 6⅔ | do | | 2 | 13 | 4 | | | | |
| W^m Mooney, | do | do | do | 6⅔ | do | | 2 | 13 | 4 | | | | |
| Peter Holmes, | do | do | do | 6⅔ | do | | 2 | 13 | 4 | | | | |
| Holm^s Austin, | do | do | do | 6⅔ | do | | 2 | 13 | 4 | | | | |
| Prince Danford, | do | do | do | 6⅔ | do | | 2 | 13 | 4 | | | | |
| | | | | | | | | | | 26 | 13 | 4 | |
| Lem^l Barlet, | do | do | do | 6⅔ | do | | 2 | 13 | 4 | | | | |
| Richard Stephens, | do | do | do | 6⅔ | do | | 2 | 13 | 4 | | | | |
| Nath^l Dubois, | do | do | do | 6⅔ | do | | 2 | 13 | 4 | | | | |
| | | | | | | | | | | 8 | 0 | 0 | |
| Jos^h Morgan, | Serjeant, | do | Oct. 7^th 1777 | 8 | 0 | 5 | 0 | 10 | 8 | | | | Missing since 6th October. |
| Henry Schoonmaker, | do | do | do | 8 | 0 | 5 | 0 | 10 | 8 | | | | do do |
| Jos^h Boutton, | Corporal, | do | do | 7½ | 0 | 5 | 0 | 9 | 9⅓ | | | | do do |
| Lewis Dickson, | Fifer, | do | do | 7½ | 0 | 5 | 0 | 9 | 9⅓ | | | | do do |
| | | | | | | | | | | 2 | 0 | 11 | |
| Jam^s Daily, | Private, | do | do | 6⅔ | 0 | 5 | 0 | 8 | 10⅔ | | | | Deserted. |
| Jam^s Terwilliger, | do | do | do | 6⅔ | 0 | 5 | 0 | 8 | 10⅔ | | | | Missing since 8th October. |
| John Welsh, | do | do | do | 6⅔ | 0 | 5 | 0 | 8 | 10⅔ | | | | do do |

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*Pay Roll of Capt. Henry Goodwin's Company—(Continued.)*

| NAMES. | Rank. | Commencement of time. | To what time paid. | Pay per month. | Whole time of service. | | Amount of pay. | | | Total amount. | | | Casualties. |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | DOLLARS. | MONTHS. | DAYS. | *l.* | *s.* | *d.* | *l.* | *s.* | *d.* | |
| Jam^s Carden, | Private, | Oct^r 2^d, 1777 | Oct^r 7^th, 1777 | 6⅔ | 0 | 5 | 0 | 8 | 10⅔ | | | | Missing since 6th October. |
| Jam^s Steel, | do | do | do | 6⅔ | 0 | 5 | 0 | 8 | 10⅔ | | | | do do |
| Aaron Napp, | do | do | do | 6⅔ | 0 | 5 | 0 | 8 | 10⅔ | | | | do do |
| Ale^r Robinson, | do | do | do | 6⅔ | 0 | 5 | 0 | 8 | 10⅔ | | | | do do |
| Peter Robinson, | do | do | do | 6⅔ | 0 | 5 | 0 | 8 | 10⅔ | | | | do do |
| Lewis Golden, | do | do | do | 6⅔ | 0 | 5 | 0 | 8 | 10⅔ | | | | Deserted. |
| David Smith, | do | do | do | 6⅔ | 0 | 5 | 0 | 8 | 10⅔ | | | | Missing since 6th October. |
| | | | | | | | | | | 4 | 8 | 10⅔ | |
| Nath^n Otter, | do | do | do | 6⅔ | 0 | 5 | 0 | 8 | 10⅔ | | | | do do |
| John Matthews, | do | do | do | 6⅔ | 0 | 5 | 0 | 8 | 10⅔ | | | | Deserted. |
| Michel Burjee, | do | do | do | 6⅔ | 0 | 5 | 0 | 8 | 10⅔ | | | | Missing since 6th October. |
| John Allin, | do | do | do | 6⅔ | 0 | 5 | 0 | 8 | 10⅔ | | | | do do |
| | | | | | | | | | | 1 | 15 | 6⅔ | |
| | | | | | | | | | | 92 | 8 | 0⅔ | |

JAMES BETTS, *Lieut.*

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*Colonel Hoornbeek to the Officer of the Guard at Marbletown.*

[Miscel. Pap. 37: 452, 453.]

The prisoners I do hereby send you who were taken up this morning (as they were lurking about) by two of my Neabears upon Examining of them two of them to wit Robert M^c^Guire and Charles Grey as they cal them selves were as they say Desserted from the King of England Armey and the other two Joseph Johnson and Duncan Cambel as they Cal them selves I asked them (after a long Discourse) if they were wiling to swear of all allegiance to the King of England and swear true allegiance to the free and Independent States of America answered and said that they were wiling to swear to take up no arms on either side so that I am verry suspicious that they are Deserters from our Army or otherwise tories going about on some Evil Design which is the Reason of my sending them to the guard house as Witness my hand the 2^d^ day November 1777.

JACOB HOORNBEEK, *Coll*^o^

To the Commanding Officer of the Guard att Joh^s^ Haiks (or Wicks) in Marbletown.

Examination of Four Prisoners sent down last night by Coll Jacob Hoornbeek who Call themselves Charles Gray, Robert M^c^Guire, Duncan Campbell and Joseph Johnson on the 3^d^ Novem^r^ 1777.

Charles Gray says he was Born at Cromorthy in Scotland is 29 years of age has been in the British service in the 48^th^ Reg^t^ Cap^t^ Elmenstones Com^y^ for 10 years and in America 4 years and at Fort Schuyler since last March till ab^t^ 12 weeks ago when he Deserted the Enemy, was in Fort Schuyler once, See Coll Gansevort at Fort Dayton and has been ab^t^ ever since in and around Albany and never was asked for a pass or Examined by any Person, that he met with Rob^t^ M^c^Guire last Saturday Fortnight ab^t^ a mile or two this side of Albany and with Campbell and Johnson on the Tuesday following ab^t^ 8 mile from Albany.

Rob^t^ M^c^Guire says he was Born at Inniskillen in Ireland, is 29 years of age, has been in the British Service in the 62^nd^ Reg^t^ Cap^t^ Bumberrys Com^y^ for 12 years past, came over with the Reg^t^ last May a year and Deserted Burgoines Army on a Thursday as a Battle happened the next day. Met with Ch^s^ Gray ab^t^ 3 weeks after 8 miles from Albany and with Duncan Campbell & Joseph Johnson a day or two after and the reason of their going as far back as Mumbaucus was Esopus Creek being so high that they could not pass.

Duncan Campbell says he was Born in the Highlands of Scotland came over in one of Bucchannons Vessels ab^t^ 4 years ago, is 29 years of age, lived for some time at Albany till he went to Salsburry, works as a Coalman, where he remained the greatest part of last year, and then returned again to Albany, which he left last Saturday week, met with Gray and M^c^Guire ab^t^ 8 miles from Albany and with Johnson a short time after.

Joseph Johnson says he was Born in Staffordshire in England. Came over to America ab^t^ 10 years ago, is 56 years of age, and has a wife and seven children at the White Hall farm near Albany which he left last Tuesday or Wednesday week on acc^t^ of a Quarrell with his wife. Met with Gray & M^c^Guire ab^t^ 8 miles from Albany & Campbell short after, that they all got to Chandeacon before they see any Person to make an Enquiry of the Road.

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*Petition of Philemon Hallsted.*

[Petitions, 33: 328.]

To the Honorable Counseal and Committy of Safty.

GENTLEMEN: I sent a Petion to you some Days ago I hope you will not forget me. I Rote upon what term I was willing to do, I hope you will take the matter into considirasion if you plese gentlemen I should be glad to have a hearing I have a gret Desiar to se my family again. If I can git my discharg my family will be

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verry oneasy about me for they dont now wheare I am they will think I am gon to herford my wife will go thear to see me and to no Purpis that ont be. It is a great distance from my family, In Weschester County at Rye, my Respect to you.

PHILEMON HALLSTED.

Nov$^{r}$ 4$^{th}$ 1777.

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*Cadwallader Colden to the Council of Safety.*

[Miscel. Pap. 37: 438.]

HURLEY, Nov$^{r}$ 7$^{th}$ 1777.

HON$^{D}$ SIR: I was in hopes my Letter to you of the 31$^{st}$ of Oct$^{r}$ (if attentively considered) would have Produced a more favorable answer than that of my being sent into Dutches County as p$^{r}$ order of the Councill of the 5$^{th}$ Ins$^{t}$ which a serjant just now Produced to me. I have Prevailed on the Serg$^{t}$ to Delay taken me off till Morning (and to be the Bearer of this) that I might have opert$^{y}$ to apply to your Humanity once more. That sence I may not be addmitted to remain on my own farm as Desired (and against which I can conceive no Plauseble objection) I Beg that I may have Leave to go to See my family and I hereby Promise to Deliver myself to the gent$^{n}$ mentioned in the orders of Council at any Day they shall appoint and am S$^{r}$ yours & the Councill, Most Humble Ser$^{t}$

CADWALLADER COLDEN.

P. S. If the Councill See Proper to grant me my Request and will give the same indulgence to Mr Roeluft Elting I will be Bound for his faithfull Performance.
To the President of the Hon$^{ble}$ Council of Safety.

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*President Laurens to Governor Clinton.*

[Assembly Pap. 32: 23.]

IN CONGRESS, Nov. 17, 1777.

Congress having agreed upon a plan of Confederation for securing the freedom, sovereignty, and independence of the United States, authentic copies are now transmitted for the consideration of the respective Legislatures.

This business, equally intricate and important, has in its progress been attended with uncommon embarassments and delay which the most anxious solicitude and persevering diligence could not prevent. To form a permanent union accommodated to the opinion and wishes of the Delegates of so many States differing in habits, produce, commerce, and internal polic, was found to be a work which nothing but time and reflection, conspiring with a disposition to conciliate, could mature and accomplish.

Hardly is it to be expected that any plan in the variety of provisions essential to our union, should exactly correspond with the maxims and political views of every particular State. Let it be remarked, that after the most careful inquiry and the fullest information, this is proposed as the best which could be adapted to the circumstances of all, and as that alone which affords any tolerable prospect of a general ratification.

Permit us then earnestly to recommend these articles to the immediate and dispassionate attention of the Legislatures of the respective States. Let them be candidly reviewed under a sense of the difficulty of combining in one general system the various sentiments and interests of a Continent divided into so many sovereign and independent communities under a conviction of the absolute necessity of uniting all our councils and all our strength to maintain and defend our common liberties—let them be examined with a liberality becoming brethren and fellow-citizens surrounded by the same imminent dangers, contending for the same illustrious prize and deeply interested in being for ever bound and connected together by ties the most intimate and indissoluble; and finally, let them be adjusted with the temper

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and magnanimity of wise and patriotic legislators, who, while they are concerned for the prosperity of their own more immediate circle are capable of rising superior to local attachments, when they may be incompatible with the safety, happiness and glory of the General Confederacy.

We have reason to regret the time which has elapsed in preparing this plan for consideration—with additional solicitude we look forward to that which must be necessarily spent before it can be ratified. Every motive loudly calls upon us to hasten its conclusion.

More than any other consideration—it will confound our foreign enemies, defeat the flagitious practices of the disaffected, strengthen and confirm our friends, support our public credit, restore the value of our money, enable us to maintain our fleets and armies, and add weight and respect to our councils at home and to our treaties abroad. In short, this salutary measure can no longer be deferred. It seems essential to our very existence as a free people, and without it, we may soon be constrained to bid adieu to Independence, to Liberty and Safety—blessings which from the justice of our cause and the favor of our Almighty Creator, visibly manifested in our protection, we have reason to expect, if, in an humble dependence on His divine providence we strenuously exert the means which are placed in our power.

To conclude, if the Legislature of any State shall not be assembled, Congress recommends to the Executive Authority to convene it without delay; and to each respective Legislature it is recommended to invest its delegates with competent powers ultimately in the name and behalf of the State to subscribe articles of confederation and perpetual union of the United States, and to attend Congress for that purpose on or before the tenth day of March next.

By order of Congress,

HENRY LAURENS, *President.*

His Excellency GEORGE CLINTON, Esq., for the Legislature of the State of New York.

(A true copy) Exam[d] by ROBT. BENSON, Clk of Senate of the State of New York.

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*Deposition of Michael Devon.*

[Miscel. Pap. 37: 432.]

MARBLETOWN, Saturday Night, 8[th] Nov. 1777.

Michael Devon of the precinct of New Paltz being duly sworn deposeth and saith That on Wednesday the Fifteenth of October last a Certain Captain Clark belonging to the Enemy came to the landing belonging to the Deponent and presented a firelock at him desired him to come aboard his boat. That the Deponent then went on board the said boat because he could not help himself. That the deponent was then asked if he had heard any news about Burgoyne to which he replied that he had for that he had heard that Burgoyne had retreated beyond the Fish Creek & that our people had taken some Guns from him to which some of the enemys answered it was a damned lie. The Deponent was then asked if he stood for the King; he answered he did and partly for the Country. they told him he was reported as a damned Reble and ought to be hang'd on the yard arm; but since he the Deponent and his wife were at home they would not burn his house otherwise they would have burnt his house and Barn to ashes. That the Deponent was carried up to Sahatie and then to New York in a row Galley without stopping by the way excepting at the Cheveux du frize where the Galley stayed for about a day and a half. That when arrived at New York the Deponent was immediately put on board the Commodore man of war of fifty guns. That on the complaint of the Deponent for want of clothes and of his being an old man of sixty years of age he was sent ashore to General Jones who asked his name. That a woman at that time interposing with a complaint against a soldier the deponent took the opportunity and escaped to the house of Andrew Loshe behind the College where he staid four days and exchanged clothes with the said Loshe while he stayed at his house. That



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he re-exchanged clothes with said Loshe and on a Sunday evening the 2d instant about 7 o'clock he got a canoe and about 12 o'clock the same night landed near Fort Lee traveling through the mountains to Tappen then took the public road and traveled to Clarkstown where he was challenged by Continental officer and giving them satisfaction Major John Smith gave him a pass to Esopus. That the Deponent went to Kings ferry being the best road and crossing the ferry he landed at Verplanck's Point where he found two officers who desired him to go and inform Genl Putnam that he was come from New York. whilst the Deponent was going to the Generals he met an officer who went with him to the Genls Quarters and was there examined by one of the Generals aid de camps who gave the deponent another pass to carry him to Doctor Bards which is almost opposite to the Deponents house where he arrived on Wednesday night last.

The deponent further saith that when he got down to New York there was about 100 Transports vessels and 5 men of war in the north river; that by the time he left New York there lay about 70 transports in the said River with the 5 ships of war and that he saw several at the watering place. That he heard from the aforesaid Loshe that several transports with soldiers had gone off while the Deponent was in town, to the Delaware. That the Deponent saw between six and seven hundred regulars on parade in New York about the half which were Hessians. That while the Deponent was on board the Galley going to New York news was brought that General Putnam had by one shot from Doctor Bords land killed a Lieut and 5 privates; that another Lieut was shot through the head at Livingston's Manor and That Capt Clark and six men on setting fire to Teunis Houghtalings house near the strand at Esopus were terrible burned by the explosion of some gun powder which they said had been in the said house. The Deponent saith that about a dozen of large cannon about 18 pounders were mounted at the Bridwell. That he had heard that a number of the green Coat troops had marched to Kings Bridge and were making forts there and that they were much afraid of an attack from the Yankees and further this deponent saith not. MIKEL DEVON.

Sworn before me the day above written
ROBT HARPER.

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*Objections of Cadwallader Colden and Roelof Elting.*

[Petitions, 33: 326.]

Cadwallader Colden & Rulloff Elting object to their signing the Paroles produced to them by Messrs Thompson & Miller for this express Reason, viz, that they are not Conformable to the order of the Council of Safety upon which they are founded. The order directs that we shall be confined on Parole until the further order of *this Council or the Legislature of the State*, whereas the Parole mentions only the *Legislature*, so that should the Legislature be long in meeting or sett at a distance which would render an application to them difficult, we apprehend we might in that case be still much longer under confinement, we allso could wish that the gentlemen to whose care we are assigned had it put in their power (in case of any suden emerjency such as sickness in either of our familys or the Like) to give us leave of absence for a time for if the Council of Safety should Remove to a more Distant Place, an applycation to them on such occasion would be attended with Difficulty & Loss of time. We also should be glad to have our Limits a Litle inlarged but this last is not a matter that gives us much concern.

CADWALLADER COLDEN.
Novr 10th 1777. ROELOF JOSIAS ELTINGE.

N. B. We give our words to Messrs Thompson & Miller to abide at the house they should appoint till they could hear from the Council of Safety, and they promised to write to the Council & send a coppy of the above wch it seems they have not yet done.

Novr 16th

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*Oath of Allegiance by Abraham Burghardt.*

[Miscel. Pap. 37: 436.]

I Abraham Burghardt of Barrington in the State of Massachusetts Bay do solemnly swear in the Presence of Almighty God that I will to the utmost of my Power maintain and defend the Freedom and Independence of the United States of America.

ABRAHAM BURGHARDT.

November 20th 1777.

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*Bond of Walter Livingston.*

[Miscel. Pap. 37: 427.]

Know all men by these Present That I Walter Livingston Esquire of the Manor of Livingston in the State of New York am held and firmly bound unto Peter Van brugh Livingston Treasurer of the said State in the sum of five hundred Pounds lawfull Money of the said State to be paid to the said Peter Van burgh Livingston his Executors, Administrators or Assigns for the use of the said State. For payment whereof I bind myself my Heirs, Executors & Administrators firmly by these Presents. Sealed with my Seal Dated the eighteenth day of November in the year of our Lord one thousand seven hundred and seventy seven—1777.

Whereas John Patterson Esquire late Collector of the Port of Philadelphia and now a Prisoner in the Manor of Livingston hath upon his application obtained permission from the Council of Safety of this State to pass to the City of New York to solicit an Exchange of himself for Major Hatfield, Captain Abraham Van Dyck, William Miller of Westchester County, Garret Van Wagennen and Wynant Van Zandt of the City of New York or either of them or such other Persons as the Governor of this Stat for the time being shall appoint and whereas the above bounden Walter Livingston Esquire has consented to become bound as surety for the said John Patterson that in case such Exchange cannot be effected that he the said John Patterson will appear and surrender himself again as a Prisoner Now therefore the Condition of the above obligation is such that if the said John Patterson shall not be Exchanged for the said Major Hatfield, Captain Abraham Van Dyck, William Miller of Westchester County, Garret Van Wagenen and Wynant Van Zandt of the City of New York or either of them or such other Person as the Governor of this State for the Time being shall appoint and shall then appear and surrender himself again to the Governor of this State for the time being whenever thereunto required by the Governor of this State for the time being or within four Months after notice of such Requisition to the said Walter Livingston then the above obligation to be void else to remain in full force.

WALTER LIVINGSTON.

Sealed and Delivered in the presence of
Robt Benson,
John McKesson.

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*Oath of Allegiance of Thomas Storm.*

[Miscel. Pap. 37: 423.]

I Thomas Storm late of Kinderhook District now of Claverack District in the County of Albany do solemnly swear in the presence of Almighty God that I will bear true faith & allegiance to the State of New York and in all things behave myself and do my Duty as a good & faithfull subject of the said State ought to do so help me God Dated this 22d day of November 1777.

THOs STORM.

Sworn this 22d day of November 1777, Before me,
Evert Bancker.

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*Petition of Isaac Van Vleck.*

[Petitions, 33: 321.]

To the Honb^le the Council of Safety for the State of New York.

The Petition of Isaac Van Vleck, Humbly Sheweth,

That in consequence of your Resolve of the 19^th Oct^r last, discharging your Petitioner from confinement & permitting him to go at large he returned home where he has Remained ever since, that your Petitioner is again under a Necessity of applying to your Honb^le Board having been credibly informed that the Commissioners of Sequestration are going to proceed to the sale of your Petitioners Estate under a supposition that your order aforesaid does not Exempt him from the penalty of Confiscation, but as your Petitioner humbly concieves that the said order admitting him to his personal liberty does intend & Necessarily imply that his former conduct was to be buried in oblivion and that his Estate should be preserved to him. He humbly prays your Honb^le Board will signify to your Petitioner your sense of this matter so as to enable him to remove any Doubts which the Commissioners may have relative to it. And your Petitioner shall ever Pray.

Nov^r 27^th 1777. ISAAC VAN VLECK.

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*Council of Safety to Robert Livingston.*

[Miscel. Pap. 37: 753.]

IN COUNCIL OF SAFETY, 28 Nov. 1777.

SIR: A formal complaint has been lodged before the Council against you charging you with selling your Bar Iron at £17 p^r Hundred and refusing even to dispose of it at that price except only in Exchange for Produce. Justice requires that you should be informed of this accusation and that you should be allowed an oppertunity of defending yourself.

For Resolutions of the Council, See *Journal N. Y. Prov. Cong.* I: 1090.

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*Francis L. Lee to Governor Clinton.*

[Assembly Pap. 32: 7.]

WAR OFFICE, Dec^r 1777.

SIR: It is with great concern I inform your Excellency, on Behalf of a Committee of Congress appointed in addition to the Board of War, of the alarming situation of the Army from the want of Provisions which have produced from General Washington several Letters expressing his apprehension that unless speedily relieved it must "*starve*, *dissolve* or *disperse*."

Congress having directed the Committee to adopt effectual measures for immediately removing the imminent Danger with which we are threatened, they esteem it their Duty to request in the most urgent Manner that you will be pleased without any Delay to cause all the cattle which can possibly be collected within your State forthwith to be taken and sent forward under proper conductors to General Washington's Army without Delay, paying to the persons from whom the cattle are so taken as yourself and the Council of Safety shall deem reasonable, and drawing upon Congress for the necessary sums or giving them certificates expressing the quality, age and weight so taken as nearly as possible, which certificates will be hereafter paid at such prices as shall be fixed on by the Convention of the Committees of the States to be held agreeably to the Recommendation of Congress of the 22^d Nov^r last.

The Committee have likewise to request that you will give your utmost assistance to Mr. J. Cuyler, Commissary of Northern Department in laying up plentiful magazines of Flour and Pork in such parts of the State as shall be thought best adapted for that purpose, and that you will likewise be pleased to co-operate for the same purposes with the Govenor and Council of Connecticut who are desired to superintend the Commissary Department on the East side of Hudson's River.

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The Middle Department is exhausted of Cattle fit for the use of the Army, & the obstructions which have been met with in removing a timely and sufficient supply of Salt from the Eastern States have baffled all Prospects of laying in any large Quantities of Pork in the States of Pennsylvania & Maryland. Without therefore the most Speedy Exertions are made use of immediately to throw in a supply of cattle to General Washington's Army and to lay up Magazines immediately the most fatal consequences cannot but ensue.

The vigorous Exertions made by the State of New York at a period when the affairs of America wore the most alarming aspect, afford us the most pleasing assurances that at this Crisis their Exertions in the Great Cause will not be exceeded by any State in the Union which has been wrote to on this occasion by the Committee.

I have the honor to be with great respect your very obe$^{dt}$ serv$^{t}$

FRANCIS LIGHTFOOT LEE.

His Excellency GEORGE CLINTON, Esq.

[A true copy: Ex'd by ROBERT BENSON, Clk.]

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*Case of William H. Ludlow.*

[Miscel. Pap. 36: 654.]

Dec. 1, 1777.

The Commissioners of Sequestration for the Lower District of the County of Albany beg leave to Lay before the Hon$^{ble}$ Council of Safety the following Cases Viz:

The case of William H. Ludlow in Regard to the Effects of Mess$^{rs}$ Shaw & Ludlow, stated by Judge Morris & Will$^{m}$ H. Ludlow in the paper N° 1, Together with the Resolutions of the Committee of Albany which the paper N° 2 is a Copy.

The Commissioners conceiving the effects of said Shaw & Ludlow to come under their Cognizance have once and again called on William H. Ludlow & Henry Ludlow to give them information of said goods, they having Refused to give any other information than what is contained in said paper N° 1 which is no way satisfactory to the Commissioners, and although the Commissioners have a Power to Committ said Ludlow untill they shall give more perfect information, yet they conceive their might some mischief arise from the Resolution of the Committee on such Committments without the opinion of the Council first had thereon & the Commissioners being accused (by the common People) of Discrimination in Proceeding to take the Effects of the poorer people, and leaving the aforesaid effects in the State above mentioned, are therefore constrained to Beg the direction of Council in the Premises. it may be added to the above Relation made by Judge Morris s$^{d}$ Ludlow pleads said Shaw did obtain from the Convention an Exempt from Military Duty for which and the above Reasons they conceive those Effects to be out of the Pale of the Commissioners Instructions and is the Reason they wont Discouver them.

The said Commissioners further want to know what they shall do in the case where the Estate of a Person with the Enemy Lieth in common with another Person Resident on said Estate. Also whether the Commissioners are fully impowered to open houses, sellers, or the ground as the case may be on their having knoledge or cause of Suspicion of goods being secreted their.

The Commissioners further beg leave to acquaint your Honor that they find the allowance made them for wages & Expences is not equal to their expences alone.

(No. 1.)

[Miscel. Pap. 36: 638.]

Richard Morris, William Henry Ludlow & Henry Ludlow being respectively Sworn depose & say as follows Viz: Richard Morris deposeth & saith that as he understood at the time that Shaw & Ludlow & Ludlow entered into partnership the Stock and Business of the old Gentleman & Thomas Ludlow who was acting in

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the Bakehouse business for the family was to be thrown into one, & that the old Gentleman's family was to be so far benefited under it as to receive an ample, Handsome & Competent supply from the advantages arising from their Trade. that Early in the partnership Thomas Ludlow showed a dislike to the Union & desired the firm of the House to be changed & that he would be content with the Bakering Business & what he could do for himself & family (he being then married) otherwise. that in consequence of that Determination the firm of the house was altered to Ludlow & Shaw. that the Business was carried on under that firm & the Deponent Conceives that the old Gentleman, his Wives father & his family had a certain Interest in the business if they were successfull, and this Deponent further saith, that when the Old Lady the Mother in law of this Deponent died in January last was a Twelve month, that soon after the family came from New York to this Deponents farm in Westchester. that while they were there he *frequently* received from Mess^rs Shaw & Ludlow Spirits, Wine & Necessarys even beaf, and he thinks Veal & Mutton for the support and aid of the family. that in March following Mr. William H. Ludlow came to Spitendevill with his Sloop & took the family then Consisting of Eight persons off & brought them to Claverack. that the Deponent has heard & believed it to be true that the family furniture and clothing are brought up to Claverack & that as farr as Mess^rs Shaw & Ludlows circumstances would admitt they have Lodged property belonging to the Company to answer the calls of the family During the present troubles, haveing directed the disposal of them as fast as the family Exegenceys should require them & this Deponent further saith that he has with him a child of M^r Shaw for which he conceives he has a right to call on M^r William H. Ludlow to supply him with necessarys for & in case he hath them not, to supply him with Money for the purchas of them & this Deponent further saith that he is Merchant & has it not his Power to answer Directly as to the articles he never having been Employ^d Directly or Indirectly in the conveyance or carriage of any thing.

Original draft daily.

The family then were ten.

And William H. Ludlow being duly Sworn Deposeth & saith that the preceeding narrative of Richard Morris touching the family of Messrs Ludlow Shaw are trew to the best of his Knowledge & belief with the addition that a quantity of the family Lands Laying in Orange County were sold & the moneys arising therefrom being £3000 or more went into the Stock of Trade to further the Business of the House. That he has rec^d the family furniture & the clothing of such of the family as are with him—with some articles of Merchandize which are entrusted with him to Dispose of & supply the necessary Calls of the family. A true Copy of the Original Draft Examined by R^D MORRIS.

(No. 2.)

[Miscel Pap. 37: 425.]

ALBANY COMMITTEE CHAMBER, November 22^d 1777.

Upon the Representation of a state of Facts relative to the propriety of Shaw & Ludlow now in the possestion of William H. Ludlow of Claverack.

*Resolved* that it be Recomended to the Commissioners for Sequestering the Effects of persons gone over to the Enemy in the Southern District of this County to Desist from any further proceedings Respecting the said Effects of Shaw & Ludlow as above recited untill such times as the opinion of the Councill of Safety can be had thereon not exceeding one month. Extracts from the Minutes,

MAT VISCHER, *Sec^ty*

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*Resolutions of the Committee of Ulster County.*

[Miscel. Pap. 37: 239.]

NEW PALTZ, y^e 2 Dec^r 1777.

In General Committee for the County of Ulster.

A Resolution of the Council of Safety for the State of New York of y^e 11^th November 1777 for the appointment of Commissioners for granting Licenses for the

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Transportation of Flour &c., being laid before the Committee for the County of Ulster.

*Resolved* That Messrs Daniel Bevier of Marble Town, Daniel Graham of the New Paltz, Thomas Palmer of Newburgh, & James Hunter of Shawengonk, Yeo man, be and they are hereby appointed Commissioners for the purpose aforesaid.

*Resolved* that Maj Joseph Hasbrouck be appointed Chairman Pro Temp. for the Purpose of administering the Oath to the said Commissioners agreeable to the Resolution of the Council aforesaid.

I do hereby certify the above to be the True Proceedings of the General Com mittee for the County of Ulster concerning the appointment of Commissioners.

By order of the Committee,

DAN^L GRAHAM, *Chairman.*

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*Petition of Catherine Kittel.*

[Petitions, 33 : 439.]

To the Honourable the Council of Safety for the State of New York.

The Petition of Catharine Kittel, Humbly Sheweth,

That your Petitioner is the wife of Andrus Kittel who is gone over to the Enemy in consequence of which his Estate is now seized by the Commissioners of Sequestration, and as she supposes will shortly be disposed of. That your Petitioner has ever during this unhappy war been friendly and well affected to the American cause, and has frequently endeavoured to disuade her husband from his Evil course and repeatedly warned him of the impending ruin and destruction that would be the inevitable consequences of the unnatural part he was acting, all which she is abundantly able to prove by a variety of circumstances and a number of Evidences of undoubted veracity. That some of the Estate now seized is derived from and she thinks in equity appertains to her, to lose which and be reduced to Poverty and want with a lame and infirm child thro' the misconduct of her Husband, contrary to her inclinations and advice, she can not but consider as the greatest Hardship, and would in Effect be punishing the Innocent for the sake of the Guilty. Your Petitioner therefore most Humbly prays that your Honourable House, considering her friendly disposition to the American cause, and actuated by Principles of Humanity will be pleased to favor her so far as to allow her to retain to herself that part of her husband's Estate that is derived from her, and grant her such other Relief to enable her to support herself and helpless family as to them may appear proper, And your Petitioner as in duty bound shall ever pray.

CATHERN KITTLE.

KINDERHOOK, 2 December 1777.

[Miscel. Pap. 37: 311.]

Albany, ss.

Jacobus M^cNeal of the District of Kinderhook and County of Albany weaver, being duly sworn deposeth and saith in the two years last past he has often worked in the House of Andreis Kittle whom this Deponent understands has lately gone over to the Enemy. That he has frequently heard the said Andreis Kittle in discourse with Catharine his wife upon public matters and found that said Kittle was unfriendly to the measures pursued by the Americans in defence of their Liberties but that the said Catharine on the contrary always evinced the most steady attachment to this country. That their differance in sentiments upon this head was often the occasion of disputes between them and further saith not.

JAMES M^cNEILL.

Sworn this 4^th Day of Dec^r 1777, before me,

JOHANNAS VAN DUESEN, Chairman, P. T.

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[Miscel. Pap. 37: 313.]

Albany, ss.

Jacob Van Hoosen of the District of Kinderhook Taylor being duly sworn deposeth and saith That he is well acquainted with Andries Kittle and Catharine his wife. That the latter End of last summer or the beginning of the fall he has worked at his Trade in his House at a Time when the said Andries Kittle had absconded from home and secreted himself in the woods. That the said Catharine informed this Deponent that she was much against her Husbands conduct and had repeatedly advised him to return home and to surrender himself but that he would not. She at the same time expressed great resentment against the behaviour of her Husband. That she appeared to this Deponent well attached to the Liberties of America. JACOB VANHUZAN.

Sworn this 4th day of Decr 1777 before me,

JOHANNAS VAN DUESEN, Chairman, P. T.

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*Petition of Abraham Lake.*

[Petitions, 33: 443.]

To the Honble ——— Clinton Esqr Commander in Chief in and over the State of New York or the onrebel Counsel of Safete.

The Petition of Abraham Lake of Cambridge district in Albany County, Humbly Sheweth,

That whereas the Lot of your petitioner being unhappily cast near where the Late action was commenced at walloomscot in August last past, where the Enemy in their march was so much more hasty than was Expected From Brittains Great Number of honest People had not the oppertunity To Remove their Family's out of their way and so fell into their Hands contrary to their minds to the Grief and damage of many thus Captivated Among whome your Petetioner was one who thus fell a prey to British Tyrany Being by some of their Enemies ordered imediately to Repair to Camp or to Expect no mercy from them nor yet to escape the fury of Savages, your Petitioner Being in amaze Complied to their avoracious Command on Entering their Camp, yet never assisted the Enemy in any shape whatever, yet Being inform'd by the Commissioners of the County aforesaid that by so doing I had incured the forfeiture of my whole Interest which threatens utter Destruction to myself and family, yet Recollecting that all just Laws are built on true Reason, and your Petitioner being wholly inclin'd to Lend all the assistance he possibly can to support the cause of Liberty, Can but conclude upon the whole that it was not the meaning of the Convention that such persons should suffer as aforesaid but that the Act against Disafected persons making their Escape to the Enemy only wanted some Explanation Hopeing therefore that your Excellency together with the Honorable Council will take some speedy measures for the Redress of your petitioner and otherwise in Like Circumstance that shall seem most agreeable to Justice and for the propagating the system of Liberty, and your petitioner as in Duty Bound will ever pray, &c ABRAM LAKE.

Desember 2th 1777.

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*Petition of Abraham Middagh.*

[Petitions, 33: 445.]

To the Honbe the Council of Safety State of New York.

The Humble Petition of Abraham Middah, Now confined in Kingston Goal, Most Humbly Sheweth,

That your Petitioner has a Distress'd family at Home, and if he Cannot have the Liberty of Returning to his farm at this season of the year the Grain will be Lost to the Intire ruin of his family. That your Petitioner would humbly represent that

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he sincerely Desires to return home as a Good subject and peaceable member of Society to his Duty. That your Petitioner Humbly prays your Honb^le Board to take the Distress of his family into your consideration and Grant such Relief as in wisdom shall seem meet to your Petitioner who shall as in duty Bound Ever pray, &c^

ABRAHAM MIDDAH.

Dec^r 2^d 1777.

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*Petition of Stephen Smith.*

[Petitions, 33: 432.]

To the Honourable Council of Safety for the State of New York.

The Petition of Stephen Smith of Ridgefield in the County of Fairfield and State of Connecticut, Humbly Sheweth,

That your petitioner being Possessed of a Farm of land lying and situate in the Southern part of the Town of Salem in the County of Westchester and State of New York being about four miles Distance from your Petitioners Dwelling house in Ridgefield aforesaid and that your Petitioner did for his own Familie use and maintenance in the fall of the year A. D. 1776 Sow, and last Harvest did Reap on said Farm about Two hundred Bushells of wheat which your Petitioner Housed in said Salem your Petitioner begs leave to inform your Honours that he has since sold about Fifty Bushells of said wheat to the Farmers in said Salem for seed, and that the remainder still continues in said Salem your Petitioner having been Informed that your Honours hath laid an Embargo on grain in order to prevent its being Transported out of your State into the Eastern States without a License being first had from the Commissioners appointed for that purpose and to Return in Lieu thereof Salt for the use of the Inhabitants of your State which Embargo your Honours Petitioner humbly concieves was not intended to debar him from Transporting his wheat, raised as aforesaid, Home to his own use and for the necessary sustenance of himself and Familie. Therefore your Petitioner humbly begs your Honours to take his case under your consideration and grant him your permission for the Transporting his wheat aforesaid Home to his Dwelling House in said Ridgefield for the use of himself and Familie, or grant your Petitioner such other Reliefe in the premises as your Honours in your wisdom shall see meet and your Petitioner as in Duty bound will Ever Pray.

STEPHEN SMITH.

Decem^r 10^th 1777.

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*Petition of John Tremper.*

[Petitions, 33: 294.]

To the Honourable Council of Safety for the State of New York Now sitting at Hurly.

The humble petition of John Trimper of Rynbeeck precinct in Dutchess County Currier, Humbly Sheweth,

That your petitioner on the Ninth of this Instant sat out with a waggon whereon was Tanned Leather amounting to the Quantity of 600 W^t of your petitioners own property. When your petitioner was on his journey stopt at the Dwelling house of Johannis Tack at Marbletown were I met Dirck Wynkoop Jun^r who told your petitioner that there was a Resolve pass'd the Council prohibiting the Transportation of Tanned Leather out of the State of New York in any other State which Information your petitioner did not credit and answer'd M^r Wynkoop I shou'd pass on untill Legally stop't your petitioner has always paid the greatest Respect and obedience to the Resolutions pass't in this State by the several Conventions and Councils of Safety have never offended or tresspassed against one resolution—your Petitioner Trespass and offence Now against the prohibiting Resolution Respecting Leather is intirely Innocence and for want of Knowledge of any such a Resolution being passed Except what M^r Wynkoop told your petitioner respecting it as your petitioner intent and Design has never been to injure this State, but to do as much



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as Lays in my power for its real good. I never committed this offence with that Intention to injure it or have the least disrespect for its Laws. Your petitioner hopes the Honourable Council will consider how Lately the Resolve was pas't before your Petitioner offended it. Your petitioner hopes and ardently wishess that the offence committed by your petitioner may be pardoned and your petitioner promises never to offend again. Your petitioner submits freely to the Councils determination hoping to be favourably dealt with and your petitioner shall ever pray.

JOHN TRIMPER.

[December 15, 1777.] Leather Confiscated.

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*Examinations.*

[Miscel. Pap. 37 : 235, 236, 315, 317.]

The Examination of James J. Graham says, That he is now employed in assisting the Commissary to procure Waggons to carry Flour for the use of the Continental Army. That he knows that Peter Deyo has been imployed to purchase Flour for the use of the Army and by the weigh notes which he has seen it appears that the flour purchased by Deyo was therein charged at twenty six shillings per hundred & that he understood the Flour which Deyo bought for the Army was purchased by him by order of Henry Schenck Assistant Commissary General. That he knows Capt Charles W. Broadhead, that there were seventy one Barrels of Flour in Broadheads Mill that had been purchased by sd Deyo. That he the Examinate never informed to his knowledge the said Capt Brodhead or any other person whatsoever that the said Flour purchased by the said Deyo or any part thereof or any other Flour purchased by any other person for the use of the Army was charged to the public at forty shillings per hundred or any Thing to that or like Effect.

JA$^{s}$ J. GRAHAM.

Sworn this 3$^{d}$ Day of Dec$^{r}$ 1777, Before me,
LEVI PAWLING.

The Exmination of Egbert Dumond says, That some Time last winter he was employed by Col. A. Hawk Hay to purchase Flour for the use of the Continental Army or Militia in Continental service. That he purchased Flour at different prices but none higher than twenty five shillings per hundred. That the Examinate received a letter from Mr Henry Schenck of Fishkill in the latter end of last summer or in the Fall in which he informed him that it was agreed to give no more than twenty four shillings per hundred for Flour and Expressing his surprise that the Examinate should have given Twenty five shillings per hundred for flour that being the price the Examinate paid to Thomas Palmer. That he the Examinate was soon after informed by Peter Smedes Junr & others that Peter Deyo purchased Flour by order of the said Henry Schenck at 25 shillings per hundred & that the said Peter Deyo for the Flour he purchased had two weigh notes for each parcel of Flour he purchased the one charged at 25s. per hundred by which he paid the seller of Flour and the other charged at 26s. per hundred by which he received payment for the said Flour of Mr Schenck, Mr Schenck having allowed him to charge one shilling per hundred for purchasing the said Flour. That after receiving the said information from Peter Smedes Jun$^{r}$ he mentioned to Peter Deyo the information aforesaid. That Peter Deyo acknowledged

Ulster County, ss.

Peter Deyo of Paltz precinct in Ulster County yeoman being duly sworn on the Holy Evangelists of Almighty God deposeth and saith, That being abroad on his way Home he met Paul Schenck at his house of whom he enquired the price of Flour. That Paul Schenck informed him that the price of Flour was twenty six shillings per hundred and enquired of the Deponent if he had any for sale. That the Deponent replyed he had Flour for sale and also wheat which was not then

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ground. That the said Paul Schenck told the Deponent he would give 26s. per hundred for one thousand Barrels if the Deponent would sell it to him. That the Deponent on his return home sent his wheat to mill to be manufactured and purchased of several persons quantities of flour to the amount of between five and six hundred Barrels for which he paid to the owners of the Flour Twenty five shillings per hundred and sold the same to the said Paul Schenck for Twenty six shillings per hundred weight. That he procured the Millers to make weigh notes for the said Flour at 25s. per hundred whereby he paid the persons of whom he purchased & delivered to them the weigh notes and that he had other Weigh notes charged at Twenty six shillings per hundred whereby he received his money of Paul Schenck & left him directions where to receive the said Flour. That some of the said Flour was carted to the Hudson River from Rochester and also some of it from Bruyns Mill last week. That he the Deponent delivered the weigh notes of the said Flour to Paul Schenck some time in June last. That the said Paul Schenck informed the Deponent that he was purchasing the said Flour for and on Continental account. That he purchased parcels of the said Flour from Major Johannes Janson, Thomas Janson Junr and Thomas Janson, Capt Johannes A. Hardenbergh, Jacob Hasbrouck of Keyseryck, Isaack Hasbrouck, Junr., Charles W. Broadhead, Lewis Broadhead, Daniel Graham and of some persons near Colonel Hornbeck's Mill whose names he does not recolect and also from John Depew. PETER DEYOO.

Sworn this sixth day of December, 1777, Before me,
LEVI PAWLING.

The Examination of Solomon Van Wagener, Ulster County. This Examinent saith that about Two weeks ago James Graham came to this Examinants House and impressed him with his Horse and waggon to carry Down to the Esopus landing a load of flower which Flower was in Charles W. Broadheads Mill. This Examinant asked the sd Graham what that flower sold for—he gave for answer Either forty or forty five shillings per Hundred this Examinant is not shure which.

SOLOMON VAN WAGENEN.

Sworn this 15th Day of Decr 1777, Before me,
LEVI PAWLING.

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*President Laurens to the New York Assembly*

[Assembly Pap. 32: 43.]

YORKTOWN, 23d December, 1777.

The Honourable the Speaker of Assembly, or President of the Council of Safety.

SIR: I am directed by Congress to transmit to your honourable body the enclosed resolutions which the pressing wants of the Army & the arts and avarice of engrossers & extortioners have rendered indispensibly necessary to the general welfare.

It is with deep concern that Congress, after having for some time contemplated in painful silence the mischiefs which threaten this extended Continent from the growing avarice of the times, feel themselves constrained to recommend measures which the virtue of all classes of men rendered not long since unnecessary, and which a scrupulous regard for the security of property to every citizen of these States has hitherto restrained them from adopting; but (unhappy the case of America) laws unworthy the character of infant republics are become necessary to supply the defect of public virtue & to correct the vices of some of her sons; & she is called upon by the grand principle of self preservation to guard against the parricide of those, whom she has fostered in her bosom.

To minds, whose reflections are employed on the importance of the cause in which we are engaged, & which feel for every circumstance which may affect the Honor & Safety of these States, it must give the most painfull sensations to consider that at a time when the late signal successes we have been blest with, the reduced numbers of the enemy, the difficulties they meet with in procuring foreign levies, & the

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political complexion of affairs in Europe, have deprived Britain of many of those resources on which she has so much depended when the numbers and improving discipline of our army, the prodigious augmentation of our military stores, the quantity of Provisions with which this country abounds, & the large supplies of cloathing which have of late been imported by private persons, afford not only the opportunity but the means under Divine Providence of establishing our liberties by a few exertions—this bright prospect should be clouded over, & this great & glorious event endangered by the languor of too many & by the arts and avarice of designing individuals who like the British nabobs of the East are corrupting the manners of a whole nation and building vast fortunes on the destructions of the liberties of the Western World.

It is to be hoped however, that the wise & spirited laws of the different States, aided by the influence & exertions of the real patriots, will apply effectual remedies to these alarming evils; that the old and hardened offenders will be punished; that those in whose bosoms the sparks of public virtue are not yet extinguished, will be reclaimed; the languid roused from their present apathy, & that all classes of men will unite with their former spirit & virtue against an enemy whose progress is marked with every vestige of barbarity, & whose determined object is to establish a tyranny of the most dangerous and debasing nature over the Inhabitants of a vast continent.

Congress flatter themselves that the resolutions herewith submitted will tend to accomplish some of these valuable purposes, & they therefore esteem it their duty to recommend them to the serious consideration of your Honourable House, and that they will be carried into execution as expeditiously and secretly as possible.

By order of Congress,

HENRY LAURENS, *President.*

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*Petition of Catherine Kittle.*

[Petitions, 33: 435, 750.]

To the Honourable the Council of Safety for the State of New York.

The Petition of Catharine Kittle, Humbly Sheweth,

That some difficulties having arisen in the construction of your order of the 6th Instant upon your Petitioners memorial whereby the favourable Intention of the said Order in your petitioners apprehension of its true Intent and Meaning will in a great measure be defeated, she is obliged to apply for an explanation which will remove the said difficulties and for the clearer understanding of them a state of her case is herewith transmitted. That your Petitioner having received the opinion of Counsel to the following purport. That altho' from the novelty of the present case which under all its circumstances is of the first Impression, no adjudged case in point can be aduced, yet considering that liberality which is always allowed in the construction of acts of Legislature in support of their true Spirit and Meaning and that it appears evident that the present order granted the Prayer of the Petition presented in favour of a person not accessary to the practice of the Delinquent but averse from his Principles which has not only been suggested but proved and also in favour of a helpless Infant labouring under peculiar infirmities of Body. Considering also the hardship of punishing the Innocent for the sake of the guilty which seems peculiarly reprobated by the Constitution of this State in that Article wherein the corruption of Blood even in cases of Treason is removed. That upon these considerations, even if the Matter was in doubt, an opinion ought to incline to enlarge and not to abridge the Grace extended by the Council. But in the case of the *Increase of the wench* the Petitioners application seems to be supported by strict Principles since it is well known that in Instances of Marriage Contracts where the wife is permitted to retain her property seperate from her Husband's (which seems to be parallel to the present question wherein Mrs Kittles Effects brought in Marriage are held up as distinct from her Husbands) she has a right not only to the

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specific things but to the Increase and Produce thereof also free from the Control and not forfeitable for the Crimes of the Husband which is a Point established in the Courts of Chancery. That the order of Council therefore upon the first question is decisive in favour of Mrs Kittle, but as to the second altho' it be equally clear that she has a right to retain the money she brought her Husband in some shape or other yet as from the changes it has undergone it can not now be specificated and as the order of Council is not perhaps sufficiently explicit to be a Rule for the Commissioners, applications should be made for an explanatory Resolve, And as Mrs Kittle is desirous of having the benefit of her money in the use of the Farm in the Eike Boss for a Habitation for herself and her Child the value of which it is said is about equal to the money she brought him it might probably have weight in obtaining this request, that part of the Identical money was invested in the purchase of that Farm, and that her Husband before any Act of Delinquency, Declared his Intention of conveying the said Farm to the use of his wife and Child. And the rather as the granting of this case can be of no Prejudice to the Publick, as it is immaterial the value being ascertained, whether she has it in one article or another, upon the foregoing principles and such other as the favourable disposition of the Council shall suggest. Your Petitioner Humbly prays that they will direct the Commissioners, First, Not to sell the said Negro children and secondly to admit her to hold the said Eike Boss Farm, or Grant her such Relief as they shall think proper, And your Petitioner as in duty bound shall ever pray.

CATHARINE KITTLE.

KINDERHOOK, 24th December, 1777.

Case of Catherine Kittel.

Catharine the wife of Andries Kittel who is gone over to the Enemy, in consequence of which his Estate was liable to sequestration, Having presented to the Honourable the Council of Safety for the State of New York, her Humble Petition bearing date the 2nd of this Instant and the affidavits of James McNeil and Jacob Van Hoesen, setting forth her steady attachment to the Cause and Liberties of America, and by the said Petition praying to retain to the said Catharine that part of her Husband's Estate which was derived from her.

Whereupon the said Council were on the 6th Instant pleased to Resolve and order that the Commissioners of Sequestration in the Southern District of the County of Albany, Do by the Examination of the said Catherine Kittel on oath, and by the Examination of such other persons on Oath as they may think proper, ascertain the Effects which the said Andries Kittel derived from or acquired by his said wife Catherine. That they Inventory the same accurately but defer the sale thereof and permit them to remain in the Care and Custody of the said Catherine untill further Order, &c

It appears that the said Andries Kittel at the time of his Intermarriage with his said wife Catherine acquired by her one negro wench of whom were afterwards born two negro Girls now alive. It also appears that the said Andries acquired by his said wife Catherine, Bonds and obligations against good and sufficient people to the amount of about £500, the Greatest part of which has been paid to him in Cash and the remainder made payable to him by obligations taken in his own name.

It also appears that the said Andries since his intermarriage with his said wife Catherine did purchase a Farm of Land at a place called the Eike Boss in the District of Kinderhook for the sum of £ part of which said purchase money he paid with money he acquired by her.

It can further be made to appear by the oath of the said Catharine Kittel that her said Husband Andries frequently told her that he purchased said Farm for her and her Child and promised to convey it to their use when ever she would get the said Conveyance Drawn.

*Quere*, Is not the said Catherine entitled by virtue of the aforesaid Order of Council to retain the Increase of the said negro wench which the Commissions claim a Right to dispose of.

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2. *Que.* How will she obtain satisfaction for the monies derived from her, and by her Husband applied to his own use? and has she any Claim to the Land in the Eike Boss in the purchase of which some considerable part of the aforesaid money was invested for which and other Considerations the said Andries promised to Convey the said Land to the use of his said wife and his Child by her whose Infirmities were probably one Inducement to the promise?

(Indorsed.) Referred to the Legislature, Jan. 1778.

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*Petition of William Frazer and William Cameron.*

[Miscel. Pap. 33: 434.]

The Petition of William Frazer and W^m^ Cameron Prisoners of State at Stony Bridge Marbletown to the Honb^le^ Convention of the State of New York now sitting, Humbly Sheweth,

That y^r^ Petitioners have been about a year & a half in America with our poor Family's that we have Obtaind two Farms about 50 miles from Schorhary and have now the first crop in the ground, bought a few Creatures & no milers nearer than six miles, that we have behaved peacably and quietly towards all men at all times mind^g^ our own Business. Still Col M^c^Donald came into our settlement to list Men & force the Rest to take up arms for the King, that we refused, having no kind of Arms. That he compelled us to go with him, and then we Deserted him the first opportunity, And finally th^t^ when Major Wyncoop arrived there with his party we went to him and surrendered ourselves being [in] Ignorance of the whole affair for fear of worse consequences as one of us cannot speak a word of English, your Petitioners therefore humbly beseech your honours to take our Miserable condition under your serious Deliberation, and afford us such Relief as your wisdom see fit & your Petitioners as in Duty bound shall Ever pray,

WILLIAM FRAZER,
WILLIAM CAMERON.

MARBLETOWN, Dec^r^ 24^th^ 1777.

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*General Washington to Governor Clinton.*

[Assembly Pap. 32: 9.]

HEAD QUARTERS, VALLEY FORGE, Dec^r^ 29^th^ 1777.

SIR: I take the liberty of transmitting you the enclosed return, which contains a state of such of the New York Regiments as are in the army immediately under my command. By this you will discover how deficient, how exceedingly short they are of the compliment of men, which of right according to the establishment they ought to have. This information I have thought it my duty to lay before you, that it may have that attention which its importance demands; and in full hope the most early and vigorous measures will be adopted not only to make the Regiments more respectable but compleat.

The expediency and necessity of this procedure are too obvious to need arguments. Should we have a respectable force to commence an early campaign with, before the enemy are reinforced, I trust we shall have an opportunity of striking a favourable and happy stroke. But if we should be obliged to defer it, it would not be easy to describe with any degree of precision what disagreeable consequences may result from it. We may rest assured that Britain will strain every nerve to send from home and abroad, as early as possible, all the Troops it shall be in her power to raise or procure. Her views and schemes for subjugating these States and bringing 'em under her dispotic rule, will be unceasing and unremitted. Nor should we, in my opinion, turn our expectations to, or have the least dependence on the intervention of a foreign war. Our wishes on this head have been disappointed hitherto, and I do not know that we have a right to promise ourselves from any intelligence that has been received, bearing the marks of authority, that there is any certain

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prospect of one. However, be this as it may, our reliance should be wholly on our own strength and exertions. If, in addition to these, there should be aid derived from a war between the enemy and any of the European Powers, our situation will be so much the better. If not, our efforts and exertions will have been the more necessary and indispensable. For my own part I should be happy if the idea of a Foreign Rupture should be thrown intirely out of our scale of Politics, and that it may have not the least weight in our public measures. No bad effects could flow from it, but on the contrary many of a salutary nature. At the same time I do not mean that such an idea ought to be discouraged among the People at large because the event is probable.

There is one thing more to which I would take the liberty of soliciting your most serious and constant attention, to-wit, the cloathing of your troops and the procuring of every possible supply in your power for that end. If the several States exert themselves in future, in this instance, and I trust they will, I hope that the supplys they will be able to furnish in aid of those which Congress may immediately import themselves, will be equal and competent to every demand. If they do not, I fear I am satisfied the troops will never be in a situation to answer the public expectation and perform the duties required of them. No pains or efforts on the part of the State can be too great for this purpose. It is not easy to give you a just and accurate idea of the sufferings of the army at large—of the loss of men on this account—were they to be minutely detailed, your feelings would be wounded and the relation would probably be not received without a degree of doubt & discredit. We had in camp on the 23d instant, by a field return then taken, not less than 2898 men unfit for duty by reason of their being barefoot and otherwise naked. Besides this number, sufficiently distressing of itself, there are many others detained in hospitals and crowded in farmers' houses for the same cause. In a most particular manner I flatter myself the care and attention of the States will be directed to the supply of shoes, stockings & blankets, as their expenditures from the common operation and accidents of war is far greater than that of any other articles. In a word, the united and respective exertions of the States cannot be too great—too vigorous in this interesting work, and we shall never have a fair and just prospect for success till our troops (officers and men) are better provided than they are or have been.

The return transmitted comprehends only such troops of your State, as are at this camp, I imagine all the regiments stand nearly upon the same footing in point of deficiency, and from it you will be able to form a pretty just estimate of the men that will be necessary to fill the whole.

Before I conclude, I would also add that it will be essential to inoculate the recruits or levies as fast as they are raised, that their earliest services may be had. Should this be postponed, the work will be to do most probably at an interesting and critical period and when their aid may be very materially wanted.

I have the honor to be, with great respect, Sir, your most obedient servant,

G° WASHINGTON.

P. S. We have taken post here as the most convenient place to restrain the ravages of the enemy, and are busily employed in erecting Huts.

[A true copy: Ex'd by Robt Benson, Clk.]

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*Ill Treatment of Prisoners after the Battle of Oriskany.*

[Miscel. Pap. 37: 247.]

Affidavit of Dr Younglove.

29 Decr 1777.

Moses Younglove Surgeon of Genl Herkimer's Brigade of Militia deposeth and saith that being in the Battle of said Militia above Oriskie on the 6th of August last towards the close of said Battle he surendered himself Prisoner to a savage who immediately gave him up to a sergeant of Sir John Johnson Regt soon after which a

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Lieutenant in the Indian Department came up in Company with several other Tories when said Lieut. M^c^Ginnis by name drew his Tomahawk at the Deponent and with deal of persuasion was hardly prevailed on to spare his life he then plundered him of his Watch Buckles Spurs &c and other Tories following this example stripped him almost naked with a great many Threats while they were stripping and massacreing Prisoners on every side That the Deponent being brought before Mr Butler senior who demanded of him what he was fiting for to which the Deponent answered he fought for the Liberty that God and Nature had gave him and to defend himself and dearest Connections from the Massacre of Savages to which Butler replied You are a Dam^d^ Impudent Rebel and so saying immediately turned to the savages encouraging them to kill him and if they did not the Deponent and the other Prisoners should be hanged on the Gallows's then prepairing That several Prisoners were then taken forward towards the Enemys Head Quarters with frequent scenes of Horror and Massacre in which Tories were active as well as Savages and particular one Davis formerly known in Tyron County on the Mohawk river That Lieut Singleton of Sir John Johnson's Reg^t^ being wounded entreated the savages to kill the Prisoners which they accordingly did as nigh as the Deponent can Judge about 6 or 7 That Isaac Harris Esq^r^ was also taken the same Road without receiving from them any remarkable insult except stripping when some Tories came up who kicked and abused him after which the savages thinking him a Notable offender murdered him Barbariously That those of the Prisoners who were delivered up to the Provost Guard were kept without victuals for many days and had neither Clothes Blankets shelter or fire while the Guard were not to use any violence in protecting the Prisoners from the savages who came every day in large companies with knives feeling of the Prisoners to know who was fattest. That they dragged one of the Prisoners out of the Guard with the most Lamentable Cries Tortured him for a long time and the Deponent was informed by both Tories and Indians that they Eat him as appears they did another on an Island in Lake ontario by Bones found there newley Picked just after they had crossed the Lake with Prisoners That the Prisoners who were not delivered up were murdered in considerable numbers from Day to Day round the Camp some of them so nigh that their shrieks were heard That Cap^t^ Martin of the Batteau Men was delivered to the Indians at Oswego on pretence of his having kept back some usefull intellegence That the Deponent during his Imprisonment and his Fellows were kept almost starved for Provisions and what they Drew was of the worst kind such as spoiled Flour Buiscuit full of Maggots and mouldy and not soap allowed or other Method of Keeping clean and were insulted struck and Kaned without Mercy by the Guards without any Provocation given That a Hessian Corporal in New York Harbour on being reproved for so doing by a Prisoner in the German Language answered that it was nothing in Comparison of the Flogging the Prisoners were continually exposed to in that City That the Deponent was informed by several Sergeants Orderly on Gen^l^ St Ledger that twenty Dollars were offered in gen^l^ orders for every American scalp. MOSES YOUNGLOVE.

Sworn before me In Committee Albany 29 Dec^r^ 1777,

JOHN BARCLAY, Chairman.

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*Bond of Jacobus Schenick.*

[Miscel. Pap. 37: 251.]

Know all men by these Present that we Jacobus Schenick and Frederick Schenick of the Township of Rochester in the County of Ulster and State of New York Yeoman are held and firmly bound unto Peter Van Brugh Livingston Esquire Treasurer of the State of New York aforesaid in the sum of four hundred Pounds current money of the said State to be paid to the said Peter Van Brugh Livingston or to his certain atorney successors or assigns to which payment well and truly to be made we bind our selves our Heirs, Executors and Administrators and each of us by him

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self firmly by these presents sealed with our seal Dated this twenty ninth Day of December in the Year of our Lord one thousand seven hundred and seventy seven.

Whereas the above bound Jacobus Schenick having since the month of May last past forgotten his allegiance to the United States of America and particularly to the State of New York and joined the Cruel Enemys of the said States and

Whereas the said Jacobus Schenick having lately discovered his Error and fully convinced that he has forfeited his right Liberty and Protection to the said States he the said Jacobus Schenick Nevertheless relying on the tenderness, Humanity and Mercy of his Country did on the twenty second Day of this Instant make his Escape from Nassau Island and arrived to the Township of Rochester aforesaid on the twenty Eight Day of the same month.

Now therefore the condition of this obligation is such that the said Jacobus Schenick will not depart the County of Ulster without lieve of the Chairman of the Committee of the Township of Rochester aforesaid unless he shall be directed or commanded so to do by the Govener, Council, Judges of the Supream Court, or other Civil or Military officer of the State of New York then this obligation to be void and of no effect otherwise to be and remain in full force and virtue.

JACOBUS SCHENICK,
FREDERCK SCHENICK.

Sealed and Delivered in the Presence of
JACOB SMITH,
CHRIS^a TAPPEN.

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*Oath of Allegiance.*

[Miscel. Pap. 37: 309.]

I Joseph Furman of Charlotte Precinct in the County of Dutchess do solemnly and sincerely swear and declare in the presence of Almighty God That I will use my utmost Endeavors to import into this State in return for Eight Barrels of Flour which I intend to export out of this State to one or either of the eastern States by virtue of a Resolution of the Council of Safety of this State passed this Day Oil or Blubber for Manufacturing Leather in this State or Salt for the use of the Inhabitants thereof.

JOSEPH FORMAN.

Sworn before me this 31^st Day of Decr 1777.
EVERT BANCKER, Pres pro tem.

I Benjamin De lavergne of Charlotte Prec^t in the County of Dutchess do solemnly and sincerely swear on the Holy Evangelists of Almighty God That I will use my utmost Endeavors to import into this State in return for four Barrels of Flour which I intend to export out of this State to either of the eastern States by virtue of a Resolution of the Council of Safety of this State passed this Day, Medicine or Salt for the use of the Inhabitants thereof.

BENJAMIN D LA VERGNE.

Sworn before me the 31^st Day of Dec^r 1777,
EVERT BANCKER.

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*Examination of Captain Baldwin.*

[Miscel. Pap. 37: 243.]

Capt Alexander Baldwin of the independant Company of Rangers being examined says That on the 20^th day of March last he was taken Prisoner with Seventeen others at Sabbath day Point by Capt M^cKay and a Party of Indians; that they were conducted thro the wood to Montreal and obliged to carry the Packs of the Indians and upon their arrival there were confined in the Recollec Church where they remained about six weeks that while there they were every day insulted by John Cobham Thomas Mann David Jones Ebenezer Jessup and Divers others (all Ameri-



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cans who had gone over to the Enemy) in the most virulent manner that they called him and party (among names) damned Rebels The Congress Conventions, Committees and Continental Generals damned Rascals and vilians &c That immediately after this Examt was made a Prisoner Capt McKay desired the Examt to deliver to him All his Papers Money & Commission for fear the Indians might take and destroy them and promised to return the same upon their arrival at Montreal That upon this Examtn arrived there he desired McKay to return his Commission, Money & Papers which he did except the Commission which he said was in General Phillip's possession That he desired Capt McKay to speak to Genl Philips and Request him to return the Commission and was put off from day to day. That at length he pressed McKay who told him that he had asked Genl Philips for it but had not got it from him and farther added—Damn the Commission it is but a Congress one and will be of no service to you as we shall soon Conquer the Country. The Examinant farther says that altho the Enemy were so possessed of his Commission as a Captain he was indiscrimately confined among the Privates and drew the same Provision which they did which was *four Pounds* of Beef for six Men pr Day. That from the Recollec Church they were carried to Quebec and put on Board of Vessels, that while they were there confined, the officers of the ships insulted & abused him and the rest of the Prisoners, that the Privates they obliged to work and threatened them in case of refusal that they should be flogged That during their Confinement on Board the ship they were allowed Provisions as follows Vizt

Sunday 4 lbs of Beef for six Men.
Monday 1 Quart of Bargoe for six Men Boiled without Salt.
Tuesday 4 lbs of Beef for Do
Wednsday 1 Quart of Pease for Do Do
Thursday 4 lbs Pork for Do
Friday 1 Quart of Peas for Do Do
Saturday 4 lbs Pork for Do
And Bread in proportion to the above allowance.

And this examt farther says that whilest they were on Board of the ship he was not permitted to walk the Quarter Deck and was obliged with the rest of the Privates to Lodge in the Bay of the ship That he remained in that situation untill the first day of November when he with about 76 others were put on Parole by General Carlton and sent to New York from whence he arrived here this Day.

28 December 1777.

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*President of the Convention to the Commissioners for removing Prisoners from Hartford.*

[Miscel. Pap. 34: 258.]

Janry 2d 1778.

Sir: By the enclosed Resolutions you will perceive that you are appointed one of the Commissioners to superintend the Return of the Prisoners of this State now confined in Connecticut.

They are now maintained at a very great Expence to the Public which it is our Duty to prevent as soon as possible and the Honor of the State is engaged to relieve our Neighbours from the Burthen of the Prisoners the moment we were in a situation to take Charge of them ourselves.

As a quantity of Flour ought to be purchased and proper Measures taken for the Transportation of it to Connecticut the Council request that previous to your going to Hartford you will meet for that purpose at Spencers in the Oblong on the 15th Instt

I am directed by the Council to press you by all means to engage in this very necessary business and from your known zeal in the Cause they assure themselves of your services upon this Occasion.

I am &ca

To Melancton Smith, Peter Cantine & Jeremiah Van Rensselaer.

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*Recognizance of John McKenzie.*

[Miscel. Pap. 39: 174.]

Be it remembered that on the fifth day of January in the year of our Lord one thousand seven hundred & seventy eight, Personally appeared before me Evert Bancker Esq^r President of the Council of Safety for the State of New York John M^cKenzie of Kinderhook in the County of Albany Labourer who acknowledges himself to be indebted unto the People of the State of New York in the sum of one hundred Pounds money of the said State to be levied of his Goods and Chattels Lands and Tenements if default shall be made in the Condition following:

The Condition of this Recognizance is such that if Mary M^cKenzie (wife of the above bounden John M^cKenzie) shall well & truly appear at the next Court of Oyer & Terminer and General Goal delivery which shall be held in & for the County of Albany to answer such matters as shall be then and there charged against her and not depart without leave; then the above Recognizance to be void and of none Effect otherwise to be and remain in full force and effect.

Taken and acknowledged the day & year above written before me,

EVERT BANCKER.

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*Oath of Allegiance.*

[Miscel. Pap. 39: 170.]

We whose names are hereunto subscribed do severally and respectively Swear in the presence of Almighty God that we will bear true faith and allegiance to the State of New York and do our duty as good subjects of the said State ought to do. So help us God,

JOHANNES ZOHL,
BARENT his x mark MILLER,
EDMOND TOMPKINS.

Sworn this fifth day of January 1778,
EVERT BANCKER.

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*Paroles.*

[Miscel. Pap. 39: 172.]

We Daniel Haines and Thomas Murphy do hereby Severally & respectively promise on our paroles of Honor that we will respectively remain within the Precinct of Poughkeepsie in Dutchess County and not depart the same without Leave of this Council or the Executive authority of this State.

Dated at Poughkeepsie this fifth day of January, 1778.

DANIEL HAINS,
THOMAS MURPHY.

Taken & acknowledged this fifth day of Jan^y 1778
EVERT BANCKER.

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*Recognizance of Levi Quimby.*

[Miscel. Pap. 39: 164.]

Jan^y 7^th 1778.

Be it remembered that on the seventh day of January in the year of our Lord One thousand seven hundred & seventy Eight, Personally appeared before me Robert Benson one of the Secretaries of the Convention of the State of New York Levi Quimby of New Marlboro' Precinct in the County of Ulster and Isaac Wilsey of Charlotte Precinct in the County of Dutchess Yeoman, who acknowledge themselves to be jointly & Severally indebted to the People of the State of New York

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in the Sum of two hundred Pounds money of the said State to be levied of their Goods & Chattels, Lands & Tenements if Default shall be made in the Condition following:—

The Condition of this Recognizance is such that if the above bounden Levi Quimby shall well & truly appear at the next Court of Oyer & Terminer & gen[l] Goal Delivery which shall be held in & for the County of Ulster to answer such matters as shall be Charged then & there against him & not depart without Leave; then the above Recognizance to be Void & of none Effect otherwise to be and remain in full force & Effect.

Taken & acknowledged the day & year above written
before me,
ROB[T] BENSON, Secy.

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*Declaration of Isaac Clason.*

[Miscel. Pap. 39: 162.]

January the 8[th] 1778.

Whereas the Council of this State hath for some time past Resolv'd that flower should [not] be Exported out of this State Except such Exporter should Return the Value of the Said flower in Salt, and

Whereas I have had a permit for to Carry Thirty Barrels of Flower out of this State this is to certify that I the Subscriber have made Returns of 28 Bushels of Salt since my permit. ISAAC CLASON.

| | | | |
|---|---|---|---|
| 30 bls of Flower at 4£ Per bl. | | 28 Bushels of Salt a £8 P[r] Bush. | |
| 4£ | | 8 | |
| 120 | The amount of Thirty bl of Flower £120. | £224 | The amount of 28 Bushels of Salt purchased at Stanford at 8£ per Bushel to be delivered at Fishkill. |

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*Affidavit of Joseph Payson.*

[Miscel. Pap. 39: 180, 181.]

Dutchess County: ss.

I Joseph Payson of Sudbury in the State of Massachusetts Bay, Trader being duely Sworn, do Solemnly Swear and declare in the presence of Almighty God that I have imported & brot into this State of New York Sixty Bushels Salt which is now at Cap[t] Thomas Storms in Dutchess County—That I the deponent if I shall be permitted to export flour out of this State in return for the said Salt or any part thereof will use my utmost endeavours to have all the said Flour transported to Boston in Massachusetts Bay for the Consumption of the Inhabitants, no part of it being designed for Exportation—That I will not export out of this State of New York any Flour or Meal into any other place or Country than such place or places in the States of Connecticut, Rhode Island & providence plantations, Massachusetts Bay, or New Hampshire, as are not or shall not then be [in] the possession of the Enemy, during the continuance of the Embargo laid against the Exportation of Flour & Meal out of this State by a Resolution of the Council of Safety of the Same bearing date the Eleventh day of November last; and that I will not export out of this State to any or either of the Said other States any flour or meal Whatsoever other than the Quantity of one hundred Barrels according to the Tenor of a certain Licence to be granted to me by the Convention of the Said State of New York in pursuance of the above importation of Salt & of this affidavit, unless upon a fresh Licence to be had & obtained for the purpose after I shall made a future importation of Salt for the purpose into this State—And that I have purchased part of the said One hundred Barrells of Flour and will purchase the Residue thereof either in Barter

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for or with the monies arising from the Sale of the said Sixty Bushells of Salt already imported into this State; and that I have not exported or caused to be exported, and will not export or cause to be exported any of the said sixty Bushells of Salt out of this State, but will dispose of the Same within this State by Barter or retail for the use of some inhabitant or Inhabitants thereof—So help me God.

JOSEPH PAYSON.

Sworn this 13th day of January 1778, Before me,
JOHN M'KESSON.

A permit was ordered to be given to the said Joseph Payson in the words following, viz:—

By the Convention of the State of New York:

POUGHKEEPSIE IN DUCHESS COUNTY, Jany 14th 1778.

Pursuant to certain Resolutions of the Council of Safety for the State of New York Licence & permission is hereby granted to Joseph Payson of Sudbury in Massachusetts Bay, Trader, to export one hundred Barrels of Flour out of this State to any place or places not in possession of the Enemy in either of the States of Connecticut, Rhode Island & providence plantations, Massachusetts Bay or New Hampshire.

Given this 14th day of January in the year of our Lord One thousand Seven hundred and Seventy Seven By Order.

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*Affidavit of Ralph Smith.*

[Miscel. Pap. 39: 182.]

Dutchess County, ss:

I Ralph Smith of Roxbury in Massachusetts Bay Trader do Solemnly Swear and declare in the presence of Almighty God that I have imported and brought into this State of New York upwards of one hundred & fifty Bushells of Salt which is now at Capt Thomas Storms & Colo Dirck Brinckerhoffs in Dutchess County—That if I shall be permitted to export Flour out of this State in return for the Said Salt I will use my utmost endeavours to have all the said Flour transported to Boston in Massachusetts Bay for the Consumption of the Inhabitants, no part thereof being designed for Exportation—That I will not export out of this State of New York any Flour or meal into any other place or Country than such place or places in the States of Connecticut Rhode Island & Providence plantations Massachusetts Bay or New Hampshire as are not or shall not then be in the possession of the Enemy; during the continuance of the Embargo laid against the exportation of Flour Meal & Grain out of this State, by a Resolution of the Council of Safety of the Same bearing date the Eleventh day of November last; And that I will not export out of the Same to any or either of the Said other States any Flour or meal whatsoever other than the Quantity of Three hundred Barrels of Flour according to the Tenor of a certain Licence to be granted to me by the Convention of the said State of New York in pursuance of the above importation of Salt and of this affidavit, unless upon a fresh Licence to be had and obtained for that purpose after I Shall have made a future Importation of Salt into this State—And that I have purchased a part of the said three hundred Barrels of Flour, and intend to purchase the Residue thereof either in Barter for or with the monies arising from the Sale of the Said Salt by me imported into this State as aforesaid, and that I have not exported or caused to be exported and will not export or cause to be exported any of the Said one hundred & fifty Bushells of Salt out of this State but will dispose of the Same within this State by Barter or retail for the use of Some Inhabitant or Inhabitants thereof—So help me God.

RALPH SMITH.

Sworn this 13th day of January 1778, Before me,
JOHN M'KESSON.

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A permit was ordered to be given to the said Ralph Smith in the words following to wit:

By the Convention of the State of New York:

POUGHKEEPSIE IN DUTCHESS COUNTY, Jan^y 14^th 1778.

Pursuant to certain Resolutions of the Council of Safety for the State of New York Licence & Permission is hereby granted to Ralph Smith of Roxbury in the State of Massachusetts Bay Trader to export three hundred Barrels of Flour out of this State to any Place or Places not in possession of the Enemy in either of the States of Connecticut, Rhode Island & Providence Plantations, Massachusetts Bay or New Hampshire.

Given this 14^th Day of January in the Year of our Lord one Thousand Seven hundred & Seventy eight. By order.

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*Affidavit of William Smith.*

[Miscel. Pap. 39: 176.]

Dutchess County, ss:

William Smith of Fishkill in the County of Dutchess & State of New York Merchant being duly sworn on the Holy Evangelists of Almighty God, deposeth & Saith That he hath, Since the passing of the Resolution of the Council of Safety of the Said State prohibiting the Exportation of Flour Meal or Grain out of the Said State, actually imported into the Said State Fifty Bushels of Salt the whole of which he hath retailed to the Inhabitants of this s^d State—that he hath not exported out of the Said State since the passing of the Said Resolution any more than thirty Barrels of Flour, & that he exported the said thirty Barrels of Flour by Virtue of a Licence from one of the Commissioners for that purpose appointed—And this Deponent further Saith that he has now on the Way to this State Six hundred Bushels of which he intends to retail among the Inhabitants of the s^d State & the the remaining four hundred Bushels is to be Sent to the State of Pensilvania to pay for a quantity of Iron by him purchased & procured for the use of the Cont^l Ships now building at Portsmouth, Boston & Newburyport; And this Deponent further Saith that he will not during the Continuance of the said Prohibition laid on the exportation of this s^d State of New York export out of the Said State any Flour, Meal or Grain but by Virtue of a Licence first had & obtained from the authority of the Said State for that purpose, neither will he dispose of the Same, when so exported into either of the eastern States for the purpose of exportation; but that he will dispose thereof for the use & Consumption of the Inhabitants of the said States or either of them. W^M SMITH.

Sworn this 13^th day of January 1778,

JOHN M^cKESSON.

By the Convention of the State of New York:

POUGHKEEPSIE IN DUTCHESS COUNTY, January 14^th 1778.

Pursuant to certain Resolutions of the Council of Safety for the State of New York Licence and permission is hereby granted to William Smith of Fishkill in the County of Dutchess and State of New York merchant to export four hundred Barrels of Flour out of this State to any place or places not in possession of the Enemy in either of the States of Connecticut Rhode Island and providence plantations Massachusetts Bay or New Hampshire.

Given this 14^th day of January in the year of our Lord one Thousand Seven hundred and Seventy eight. By order.

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*Bond of William Eligh.*

[Miscel. Pap. 39: 160.]

16 Jany, 1778.

Know all men by these Presents That I William Eligh of Ulster County & State of New York Yeoman am held and firmly bound unto the Treasurer of the State of New York in the Sum of One Thousand Pounds money of the said State. For the payment whereof I bind myself, my Heirs, Executors & Administrators firmly by these Presents. Sealed with my Seal, dated the Sixteenth day of January One thousand Seven hundred & seventy eight.

The Condition of the above obligation is such that if the above bounden William Eligh shall behave himself as a faithful subject of the said State of New York & do his Duty as a good and faithful subject of the said State ought to do, then the above obligation to be void, else to remain in full force and Effect.

WILLIAM ELIGH [L. S.].

Sealed & delivered in the presence of
ROBT BENSON,
STEPHEN HENDRICKSON.

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*Letter of Committee of Claverack.*

[Miscel. Pap. 39: 158.]

CLAVERACK, 19th Jany 1778.

SIR: The Subscriptions that have been made by the People in this Regiment in Wheat & flour together with what the Committee have Bought for the Poorer Sort of People, will amount to about 500 Barrels flour, we beg you will procure for us a permit to export the same to the Eastward to be there Exchanged for Salt for the use of the People of the West part of the Destrict, no person is as yet authorized to give permits at this place. by order of the Committee,

I am, Sir Your Humbl Servt

JOHANNIS VAN DEUSEN, *Chairman.*

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*Affidavit of William Smith.*

[Miscel. Pap. 39: 178.]

Dutchess County, ss.

William Smith of Fishkill in Dutchess County Merchant being duly Sworn on the Holy Evangelists deposeth and saith that he expects to receive a considerable Quantity of Salt very speedily That he will sell and dispose of by retail to the Inhabitants of this State Two hundred Bushels thereof and that he verily believes he shall receive the Quantity of two hundred Bushels within Six Weeks and will be ready to Sell the Same by retail as fast as it shall arrive at Fishkill.

Sworn this 20th day of January 1778, WILLIAM SMITH.

Before me

PIERRE VAN CORTLANDT, Prest.

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*Certificate of David Barclay.*

[Miscel. Pap. 39: 184.]

These may Certify that on the Seventeenth day of June 1788 the Honorable the Convention of the State of New York appointed Mr David Barclay of the City of New York to be their Doorkeeper and that he Served in that Capacity from the Said Seventeenth day of June until this twenty sixth day of July 1788, both days included. As witness our hands,

JOHN McKESSON,
ABRAHAM B. BANCKER, } *Secretaries.*

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*Account of Captain Copp.*

[Miscel. Pap. 36: 529.]

The United States of America to Captain John Copp of the first Battallion of Yorkers.

| | Dr | | |
|---|---|---|---|
| To Rations at 8d Lauful each, two pr Day due from the 16th of June to 31st of Decr 1777, 169 Days, omiting one Month in which three Rations pr Day were drawn by me at Albany—N. York Cury..... | £15 | 0 | 5⅓ |
| To Do at two pr Day from the 1st of Jany to the 31st of March 1778, at 3s. York, each,..... | 27 | 10 | 0 |
| Errors excepted, | £42 | 10 | |

I certify on Honor, that the above Sum for Rations is justly due to me according to my best knowledge. JOHN COPP, *Capt*n

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*Examination of Samuel Whipple.*

[Miscel. Pap. 30: 339.]

The Examination of Samuel Whipple of Beekmans Precinct in Dutchess County. Taken before me Roswell Hopkins Esq. one of the Justice of Said County the tenth Day of April A. D. 1778.

Saith that Isaac Huddleston of Charlotte Came to his house towards night on yesterday the 9th Day of April Instant that he asked him & the young man with him if they wanted Victuals they Reply'd yes that he went in to his house and told his Girl these men wanted Victuals. She Said they was armd & Several Robberies had lately been committed & that She feared they would Rob him & if they wanted Victuals he might get it and that he went in to the house and carried them out some Bread & Milk which they eat that he asked Sd Huddleston his name & he Replied his name was William Huddleston that he had been an officer three years & had 500 men. SAMUEL WHIPPLE.

Taken before me,

ROSWELL HOPKINS, Justice Peace.

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*Certificate in favor of Elias Ballou.*

[Miscel. Pap. 39: 154.]

PARTRIDGEFIELD, May ye 7 A. D. 1778.

This may sartifi whome it may consarn that Elias Ballou of this toun we look upon to be a man of stidenes and truth.

JOSEPH CHAFFE,
EBENR PIERCE,
ABRAHAM BLACKMAN, } *Select Men of Partridgefield.*

To the Honourable Court for the County of Albany or whomsoever it may Concern this may certify Mr Elias Ballou of this town is a person who has appeared friendly to the United States. Also a man of undoubted truth and Viracity.

pr order of Comtte of Safety &c.

DANLL KINNE, *Chairman.*

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*Memorial of William Foster.*

[Assembly Pap. &c., 14: 530.]

To the Honorable the Senate and the house of Assembly of the State of New York.

The Memorial of William Foster, a Private Soldier, in the Seventeenth Regement of Militia, of the County of Albany, of which William B. Whiting Esquire is Colonel, Humbly Sheweth:

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That your Memorilist has been from time to time, called out in the Defense of the Liberties of his Country, in the Present war; that he so early as the commencing of Hostilities, did enter into the Service of this State, in one of the Companies that composed Col Van Schaack's Regement.

That your Memorilist, always most Chearfully, submitted to the hardships he was called to endure, for the Defense of his Country, and Readely Obeyed such Orders, as he Received from his Officers at all times.

That your Memorilist, was out in the Militia, after the Taking Ticonderoga, by the enemy, the last year, and was in the Retreat from Fort Edward, and on the 30th day of July last, was most unfortunately for himself, wounded by a musket Ball in his face, by which he entirely lost one of his eyes, and was at the same time made a Prisoner, and carried into the enemy's camp, from whence he made his escape, before General Burgoyne's captivity.

That your Memorilist lost by being Taken a good Beaver Hatt, his Gun and accouterments.

That your Memorilist yet Remains under the Doctr care, and that he has lately consulted one of the Principle Doctr of the Continental Hospital at Albany, who tells your Memorilist, that he must not Labour for a year to come, for if he doth his wound will not be well.

Your Memorilist begs leave further to observe, that he has at Present, no way that he can subsist himself, nor Discharge his Doctr Bill, which is annexed hereto, that his Parents are in such low Circumstances, in Life, that they are not able to afford him any Relief.

Now your Memorilist, after Resiting these facts (the truth of which Col Whiting is knowing to) Humbly Prayes, that your Honorable Body, would take his case into your wise consideration and as your Memorilist has in the way of Divine Providence, met with his Distress through his Zeal and Love for his Country, he Humbly Prayes that he may have the Compassion of it in Relieving his Necessities, so that he may be enabled to Live without the Disagreeable way of Begging for Charity which he is encouraged to ask for, from the ample provision the Honorable Congress have made for the wounded in the Continental army, and also, from what other States have done for the Relief of their wounded Militia in their Service. Which as your Memorilist in Duty Bound shall ever Pray.

KINGS DISTRICT, 29th May 1778. WILLIAM FOSTER.

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*Petition of Libbeus Mead.*

[Assembly Pap. &c., 14: 528.]

To his Excellency the Govr and the Honbl the Senate and Assembly of the State of New York:

The Petition of Libbeus Mead of the Manor of Cortlandt in Westchester County in said State humbly Sheweth—

That your Petitioner in the spring of the year 1774 Removed from Greenwich in the State of Connecticut and setled on the said Manor, and there set up his Buisness of Taning and Shoemaking, and by his peacible and quiet behaviour, obtained the affection and good will of his neighbours, and by his Industry and economy, had obtained an agreeable prospect of living in decency, plenty and repute among the good people there, and so continued to prosecute his buisness, untill in June 1775, when the usurpations of Great Britain and her Military attacks upon America, rendered it necessary for the preservation of our Invaluable Rights and privileges to have recourse to arms. Your Petitioner out of a sincear regard for the cause of his Bleeding country, quited his buisness, and all his hopeful prospects, and Voluntarily Enlisted into Col Charles Webb's Regt, and faithfully served therein, at Cambridge and Elsewhere untill it was discharged, and then your Petitr returned home, and in the spring of 1776 your Petitr still animated by the same love for his country, again enlisted in Capt Slawson's Compy and Col Drake's Regt of this State, and in like manner faithfully served therein until he was properly dis-



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charged—that he then again returned home, but in a very weak and low state of health, he having been long sick; but as soon as he had recovered, he with the greatest chearfulness turned out with the Militia in the defence and protection of the country whenever called upon, and that in April 1777 when the Enemy made their tour to Danbury, your Petitioner then again Voluntarily turned out with the Militia his neighbours under the command of Capt Seeley, and the Petit^r was in the Battle at Richfield, and pursued them quite to Campehill, and that on his march down from Richfield, the Petit^r in persute of the Enimy accidentally got seperated from the s^d Comp^y to which he belonged, and he then joined a company of Rangers under the command of Capt Silvan^s Mead of Greenwich, which company was by General Arnold ordered into the front of the attack, and was in the action on Campehill, the foremost in attacking the Enemy, when and whare the Petit^r being one of the advanced guard, he received a ball from the Enemy near his hip, which entered his body and lodged near the backbone which took all sensation and motion from him below the wound, and immediately bro^t the Petit^r to the ground; the Enemy pushing hard on our party with treble our number, for want of seasonable reinforcements our party was obliged to retreat, and leave the Petit^r to fall into their merciless hands; they came up to the Petit^r and he then resigned his arms, and himself to them a prisoner, and beged for quarter, but with their usual Inhumanity they refused to give any, but with Bayonets stabed your unfortunate and helpless Petit^r in the side of his face and cleaved the cheek from the jaw bone. Then again they stabed him under his ear, then in his Head, then turning him over stabed a bayonet into his back, then roaling him over, stabed him twice in his arme, then into his side, and also into his Belly, all which more than savage cruelty exercised on the Petit^r in his helpless condition, he was compelled to bear, and they then supposing him to be dead, stripped him where he lay in the greatest pain and auguish untill our men came on again, and discovered the Petit^r to be alive and carryed him to a house, from whence, in a few days, in a Horse litter he was conveyed to Greenwich, where he lay in a Languishing and helpless condition untill the next November, being all that time with and taken care of by his friends, and although by the blessing of God the Petit^rs wounds are healed and appear well, yet he has lost the use of his feet, and but little probability of his ever recovering the use of them. The Petit^r further begs leave to observe, that he has very little Interest left to support him, and that he is by his before rescited wounds, rendered incapible of supporting himself, and his prospects in life cut off, all which concur to present a gloomy scean before him—the Petit^r thereupon humbly prays his Excellency and the Hon^ble Legislature out of their great goodness and Compation to take his distressed case into their wise and benevolent consideration, and be grationsly pleased, either by themselves, or appoint two or three wise faithful and judicius gentl^n to enquire into the truth of the fact herein mentioned, and Report make, that the suffering state of the Petit^r may have and obtain relief, either in the way provided by the Hon^bl the Continental Congress, or in some or such other way, as in your great wisdom shall seam meet and suitable, and he as in duty bound shall ever Pray.

Dated at the Manor of Cortlandt this the 3^d day of June 1778.

GIDON SEELEY, Capt.
SAMUEL LAWRANCE, Lieut.
NATHAN ROCKWELL, Justice of the Peace.
HENRY SLASON, Capt.
CALEB HOBBY, Lieut.
ABIJAH GILBERT, Capt.

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*Examination of William Johnston.*

[Miscel. Pap. 30: 452.]

Ulster County, ss

William Johnston being examined says that on the Second day of June Joseph Brant came up from Oneoghquaga to Unadilla with about between Seventy or Eighty Warriors; That they came out of the Indian Territory & within the

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Division Line between the Indians and Inhabitants about one mile—that Brandt & his party sent for the Officer of the Militia Company and the Minister of Unadella and informed them that they were in want of Provision—that if they could not get it by consent they must take it in by force—that Joseph Brandt told the officer that their agreement with the King was very strong and that they where not such Villians as to break their covenant with the King—that they were Natural Warriors—and that they could not bear to be threatened by General Schuyler, they were informed that the Mohawks were confined—that they had not liberty to pass and repass as formerly; that they were determined to be free as they were a free people & desired to have their friends removed from the Mohawk river Least if the Western Indians should come down their friends might suffer with the rest as they would pay no respect to persons—that the Inhabitants being but weak and defenceless they let them have some provision—that the said Brandt and his party, after staying about two days at Unadella aforesaid took Eight or Ten head of horned Cattle, & Some Sheep & Hogs & then returned to Oneoghquaga again. that those of the Inhabitants who were friendly to the Cause of America removed With their families & Effects to places of more Safety. that the Examinant then went to the Officers of Tryon County and informed them of the matter that General Harkimer with a party went to Unadella.

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*Commission of Martin Beekman.*

[N. Y. Col. Mss. CI. 148.]

The People of the State of New York, By the Grace of God, Free and Independent.

To MARTIN BEEKMAN, Gent^n *Greeting:*

We reposing especial Trust and Confidence, as well in your Patriotism, Conduct and Loyalty, as in your Valour and Readiness to do us good and faithful service, Have appointed and constituted, and by these Presents Do Appoint and Constitute you the said *Martin Beekman Second Lieutenant of Captain William Hun's Company of Militia in the County of Albany in the Regiment whereof Jacob Lansing Jun^r Esquire is Colonel.* You are therefore, to take the said *Company* into your charge and care as *Second Lieutenant* thereof, and duly to exercise the Officers and Soldiers of that *Company* in Arms, who are hereby commanded to obey you as their *Second Lieutenant*, and you are also to Observe and follow such Orders and Directions, as you shall from time to time, receive from our General and Commander in Chief of the Militia of our said State, or any other your Superior Officer, According to the Rules and Discipline of War, in pursuance of the Trust reposed in you; and for so doing this shall be your Commission for and during our good pleasure, to be Signified by our Council of Appointment. In Testimony whereof, we have caused our Seal for Military Commissions to be hereunto Affixed. Witness our Trusty and well beloved *George Clinton Esquire* our Governor of State of New York, General and Commander in chief of all the Militia, and Admiral of the Navy of the same, by and with the Advice and Consent of our said Council of Appointment, at *Poughkeepsie* the *Fourth day of April* in the *Second* year of our Independence, and in the year of our Lord one Thousand *Seven* Hundred and *Seventy Eight.*

Passed the Secretary's Office July 30^th 1778. GEO. CLINTON.

By His Excellency's Command.

ABR^M B. BANCKER, D^y Secretary.

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*Return of non-Jurors.*

[N. Y. Col. Mss. CII. p. 5, 6.]

State of New York, ss.

[L. S.] By Henry Wisner, Gilbart Cooper and Thomas Moffat, Esquires, Commissioners for enquiring into, detecting and defeating all Conspiracies which may be formed in this State against the Liberties of America.

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This is to Certify that in pursuance of an act of the Legislature of
[L. S.] this State, Entitled "An Act more effectually to prevent the mischiefs arising from the Influence and Example of persons of Equivocal and
[L. S.] Suspected Character in this State," Fletcher Mathews Esquire and Thomas Bull of the County of Ulster Personally appeared before us on this Eleventh Day of August in the year of our Lord one thousand Seven Hundred and Seventy Eight and being by us Tendered the Oath in said act contained did Refuse to take the same. In Witness whereof we have hereunto Set our hands and Seals, the Day and year above written.

HENRY WISNER,
GILB^T COOPER,
THO^S MOFFAT.

To JOHN MORIN SCOTT, Esq^r Secretary of the State of New York.

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*Petition of Captain John Buchanan.*

[Assembly Pap. &c., 14: 521.]

To the Honorable the Senate and Assembly of the State of New York.

The Petition of Captain John Buchanan, humbly sheweth:

That your Petitioner being an Inhabitant of the City of New York was in the year 1775 appointed a Captain in the Militia of the said city, and your Petitioner sometime thereafter received an appointment from his Excellency General Washington for the superintendence of all the Batteaus, Boats & small craft in the Continental Service on Hudson's River, as also an appointment from Major General Putnam to the same Purpose.

That upon the 3^d day of January 1778 your Petitioner being stationed by General Putnam at Terry Town a Party of the Enemy marched there from King's Bridge with an Intention to plunder the Country, and that your Petitioner went with the Militia & Continental Troops there to oppose the Enemy and in a skirmish with them was wounded in the right arm and shoulder as may appear more fully by copys of a certificate under the Hand of Major General Putnam hereunto annexed.

That your Petitioner was then conveyed to the General Hospital of the Army of the United States of America at Fish Kill, where he laid until the 14th day of August last and is now by occasion of the wound aforesaid rendered unable to gain a necessary subsistance for himself and Family his right arm being in a Manner useless—as may further appear by the copy of a certificate under the hand of Samuel Adams, Senior Surgeon of the General Hospital aforesaid also hereunto annexed.

Your Petitioner therefore prays that his case may be taken into consideration and such Relief granted to him as by the Honorable the Senate and Assembly may be deemed proper and reasonable, and your Petitioner as in duty bound shall ever pray, &c.

JOHN BUCHANAN.

POKEPSIE, Oct^r 29, 1778.

FISHKILLS, April 5, 1778.

These are to certify that the Bearer Captain John Buchanan was wounded in the right arm and shoulder upon the third day of January, 1778, at Tarry Town in the State of New York bravely fighting in the defence of the Liberties of America, and commanded the party by whom Lieut Althoun with his party were taken.

ISRAEL PUTNAM, *M. G.*

GENERAL HOSPITAL, BEDFORD, Aug. 14, 1778.

This is to certify that Capt John Buchanan wounded in January by the Enemy has been attended by the Surgeons of the General Hospital at Fish Kill; that in consequence of his wound he is in a great measure deprived of the use of his right arm; he is therefore recommended to the State of New York for the Redress that is due to Men who suffer in Defence of their Country

SAMUEL ADAMS, *Sen'r Surg^n*

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[N. Y. Coll. MSS. 101: 149.]

To JOHN MORIN SCOTT, Esq^r Secretary of the State of New York.

We John M. Beekman, Mathew Vischer and Isaac D. Fonda Esq^rs Commissioners appointed for enquiring into, detecting and defeating all Conspiracies which may be formed in this State against the Liberties of America agreeable to the Directions of an Act of the Legislature of the State of New York entitled "an Act more effectually to prevent the Mischiefs arising from the Influence and Example of Persons of equivocal and suspected Character in this State," do hereby certify that in Pursuance of the said Act we have caused the following persons to come before us vizt: David Van Schaack of the District of Kinderhook on the Thirtieth Day of August last, Nicholas Stevens of the Township of Schonectady on the Fifteenth Day of August last, Henry Van Schaack of the District of Kinderhook on the Seventeenth Day of August last, and Lambert Burghart of the District of Kinderhook on the Twenty first Day of August last, Alexander Campbell of the Township of Schenectady on the Seventh Day of September Instant and Martin Crom of Claverack District on the Fourteenth Day of September Instant and offered to administer to them respectively the Oath therein mentioned which the said David Van Schaack, Nicholas Stevens, Henry Van Schaack, Lambert Burghart, Alexander Campbell, and Martin Crom severally refused to take. As witness our Hands and Seals this twenty second Day of September in the year One thousand seven hundred and seventy eight.

JOHN M. BEEKMAN, [SEAL.]
MAT. VISCHER, [SEAL.]
ISAAC D. FONDA. [SEAL.]

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*Petition of Joseph Graves.*

[Assembly Pap. &c., 14: 526.]

To the Honorable the Senate and house of Assemble of the State of New York.

The Petition of Joseph Graves of Kings District in Albany County, humbly sheweth,

That your Petitioner did inlist himself in one of the Companies of Rangers Raised in the service of this State out of the County of Albany under the command of Alexander Baldwin Captain in the year 1776, and at his own expence equipt himself with arms and acouterments according to Resolutions of the Convention of said State, for the Raising the said Rangers.

That your Petitioner was in the Party with Capt. Baldwin when on their way from Ticonderoga to Albany, they were surprised and Taken Prisoners, at Sabath day Point, on the 20^th day of March 1777, and Carried Captives to Canada, where he was confined on board a Guard Ship with not more than two days' allowance for a full week until Late in the fall Proceeding, when your Petitioner signed his Parole not to take up arms against the King of Great Britain untill he should be Exchanged, on which he was sent to New York, from thence Permitted to return home.

That your Petitioner had Taken from him when Captivated, a good Double Fortified Rifle gun, a Hanger, Powder-horn, a Bullet Pouch, a Blue Broad Cloth Coat, a pair of Buck Skin Breeches, two Woolen Shirts, and one pair of Stockins, for goodness and value will appear by the memorandum below.

That your Petitioner is a poor man and has a family, and by Reason of his going into the Service and his being so long in Captivity, and through the Hardships he underwent, therein, Disenabled from his usual way of Labouring for the support of his family since his Return untill very Lately.

After Relating the above Facts many of which Col Whiting one of your Honourable body is well knowing to, your Petitioner humbly prayeth that your Honourable house would Take his case under your consideratiou and Grant him such Relief as you in your Wisdom shall think meet, and as your Petitioner in Duty bound shall ever Pray.

JOSEPH GRAVES.

KINGS DISTRICT, 27^th September, 1778.

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Memorandum.

| | | | |
|---|---|---|---|
| 1 Double Fortified Rifle gun cost in the year 1776, | £8 | 0 | 0 |
| 1 hanger cost in do, | 2 | 10 | 0 |
| 1 powder horn cost in 1776, | 0 | 16 | 0 |
| 1 Bullit Pouch, cost in 1776, | 0 | 8 | 0 |
| 1 Broad Cloth Coat, half wore, | 3 | 0 | 0 |
| 1 Pair buck skin breeches half wore, | 1 | 4 | 0 |
| 2 Woolen Shirts, almost new, | 1 | 8 | 0 |
| 1 Pair of stocking part wore, | 0 | 8 | 0 |
| | £17 | 14 | 0 |

Which articles to be purchased at this day would far exceed that price, as money is so much Depreciated since, for which your petitioner hopes he may also be considered. JOSEPH GRAVES.

---

*Petition of Isaac Everit, Jr.*

[Assembly Pap. &c., 14: 537.]

To his Excelency the govenor and the other Gentlemen of Assembly Now Seting at Poughkeepsie.

A Petition: On the 29th of March Last I was Sent on Public Buisness With two of my Neighbours in Persuit of a Number of Robbers we Persued them as far as the White plains, When the two men that was with me Disarmed me, made a Prisner of me and Caried Me to New York where I Remain'd a Prisner Confin'd untill the 21st of July when Being Exchanged I Returned Home Almost Naked and Destitute of Money finding my family under Poor Circumstances And my Summer's work Wholley Lost I am under Nesessaty of Applying for some assistance to support My family And if you Gentlemen Can see it in your way Consistent With your Honors and the Ruils of Justice to Grant me Somthing for the Support of my family I shall Ever Think myself indebted and therefore shall Endeavour to Do my Country Good and faithful Services Gentlemen Annimated with Hopes of Succour from your Liberal Hands I Remain your Most Obedient and Very Humble Servant.

ISAAC EVERIT, Jun'r.

FREDRICKSBURGH, 14th Octor D 1778.

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*Petition of Jacob Travies.*

[Assembly Pap. &c., 14: 525.]

To the Honourble Gentlemn of the Council & House of Representatives of the State of New York.

The Petition of Jacob Travies, Lieutenant in Colonel Tommy Thomas' Regt of Militia, humbly shews:

That on the 28th of April, 1777, your humble Petitioner, then in an Engagement with the Enemy at Danbury, was wounded in his left Arm, by a Grape Shot, by which reason he was oblig'd to have it cut off. And as he has a large Family, and but a small Interest; beg your Honor's would consider him, that he may be allow'd something towards a Support in his unhappy Situation; and your humble Petitioner as in duty Bound, shall ever Pray, &c. JACOB TRAVIES.

POUND-RIDGE, 21st Octobr 1778.

N. B. The above nam'd Travies was under the Surgeon's hands 13 Weeks. For Rum, Vinegar, nursing and board the above term, 80 Dollars.

(Indorsed.) Let the Legislature enact a new Arm for him.

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*Certificate in favor of Silas Parrish.*

[Assembly Pap. &c., 14: 525.]

FREDRICKSBURGH, 30th December, 1778.

This May Certify that Silas Parrish was in the Minuit Service in New York When he had his Leg Broke which Causes the Lameness that now attends him.

Certified by Me, THS HAMILTON.

To whom it may concern.

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*Muster Roll of Captain Thum's Company.*

[Assembly Pap. 14: 98.]

MUSTER ROLL of Captain Adam Thum's Company of Rangers in Colonel Jacob Klock's Regiment of Militia, being the Second Batalion of Militia in Tryon County and State of New York, for the time they have been in actual service commencing the 1st day of March 1779, and ending the 22d April 1780:

| | |
|---|---|
| Adam Thum, Capt. March 1st 1779. | Daniel Fox, private. |
| James Philips, private. | William W. Fox, private. |
| Hendrick Haines, private. | Christopher W. Fox, private. |
| Christian Redman, do | Counrad Thum, do |
| George Redman, do | Joseph Fox, do |
| John Backous, do | Peter I. Jahbroad, do |

I certify that the above muster roll is Just and true, to the Best of my Knowledge. JACOB KLOCK, *Col.*

---

*Petition of Major Robert Cochran.*

[Assembly Pap. 14: 513.]

To his Excellency GEORGE CLINTON, Esqr Governor of the State of New York, general and Commander-in-chief of all the Militia, and Admiral of the Navy.

The Petition of Robert Cochran Major in the Third New York Regiment of New York Forces in the Continental Service, humbly sheweth:

That your Petitioner is a Freeholder and Inhabitant of this State. That he has a wife and six children with whom he lived at Lake Champlain (opposite Gilliland's Creek), on some of his lands there, until the operations of the war to the northward, rendered it necessary for him to leave his Habitation and retire with his family into the more interior parts of the country.

That your Petitioner being convinced of the just Rights of this Country in its Contest with Great Britain, and of the Justice as well as Expedieney of opposing by Force of Arms their tyrannical usurpations, was one of the first in this State who stood forth and entered into the service of his Country.

That as early as in May, 1775, your Petitioner was one of the Officers (a captain) of the Party of troops that took at Crown Point one Serjeant and one Commissary and twelve Privates of the British Army who were sent down to Albany as Prisoners of war and have since been exchanged.

That your Petitioner have ever since been in the Continental service, and humbly presumes it is not in the Power of Man to alledge any Thing against his Character as an officer, a gentleman, or a soldier.

That in Virtue of a Resolve of Congress the officers and soldiers in the Continental Army are each to have a certain Proportion of Lands according to their respective Rank & Stations, as a Reward for their services.

That a Major, by that Resolution, is entitle to four hundred Acres.

That there is at Crown Point a Tract of vacant Land of about four hundred Acres, and part of which has been heretofore reserved by the Crown of Britain, as your Petitioner has been informed, for the use of a garrison there in Time of war.

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Your Petitioner therefore most humbly prays your Excellency to take these matters into consideration and to grant your Petitioner a Patent of the said Land under such Conditions, Restrictions, & Limitations as your Excellency shall deem necessary or expedient. And your Petitioner will ever pray &c.

ALBANY, 18 May, 1779. ROBERT COCHRAN.

---

*Petition of Captain John Doughty.*

[Assembly Pap. &c., 14: 483, 485, 487, 489, 490, 493, 497.]

To the Hon^bl Senate & House of Assembly for the State of New York.

The Petition of Capt John Doughty of the State of New York, in Behalf of himself and the officers, non-commissioned officers and matrosses belonging to the State of New York, now serving in Coll Lamb's Regiment of Artillery, humbly sheweth:

That your Petitioner hath been engaged in the Corps of Artillery in the service of his country since the Beginning of the year 1776.

That your Petitioner now has the Honour of commanding a company raised by the Provincial Convention of this State in the year 1776, then raised during the present Warr, and commanded by Lieut-Coll. Hamilton, now Aid-D'Camp to the Commander-in-Chief.

That your Petitioner and the officers and men under his command, & also the officers and men belonging to the company raised at the same Time, and under the same circumstances, lately commanded by Maj. Beauman, now by Capt George Fleming, have struggled in the service of their country together with many other officers and soldiers since raised, & now in the same regiment with your Petitioner (as will appear by the Returns handed to your Hon^bl House herewith) under all the Disadvantages of a hard service & a depreciated currency.

That your Petitioner and his Brother Soldiers, impelled by the same laudable Principles, which first induced them to step forth in the glorious cause in which they are now engaged, feel anxious to continue and persevere therein so long as their country may have a call for their services.

That your Petitioner and his Brother Soldiers from the Peculiarity of their Situation, in not being adopted by the State to which they belong, have more severely felt the Hardships of Warr and the Effects of the Depritiation of our Currency than their fellow-soldiers serving in the same cause and belonging to the same State.

That your Petitioner and his Brother Soldiers almost borne down by their Disadvantage, have petitioned the Hon Congress and the Commander-in-Chief, as well as the Legislature of this State, for Relief in the Premises. In Answer to which your Petitioner and his Brother Soldiers have always been promised that the same Justice should be done, and allowance made to them that was done and made to the Troops belonging to the same State.

Having the good of the service and the hopes of this future Recompense in View, your Petitioner and his Brother Soldiers have drawn money upon the credit thereof from their friends, or else from the Smallness of their Finances they could not have subsisted.

Your Petitioner and his Brother Soldiers, looking up to the Justice of your Hon^l Houses, do therefore beg that they may be adopted as Part of the Troops of this State; and that the same Benefits that have been *enjoyed* and that *may be* enjoyed by the Troops of this State, may be extended to them, or some Equivalent such as in your Wisdom you shall deem Just & Right may be granted to them. And your Petitioner as in Duty bound will ever pray. JN° DOUGHTY.

September 1, 1779.

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*Return of Men enlisted by Captain Wool.*

Return of Men Recruited for the service of the United States of America, by Capt. Isaiah Wool, of Coll. John Lamb's Regiment of Artillery, 1777.

| | | | |
|---|---|---|---|
| Isaiah Wool, | Captain, | New York. | |
| Elisha Harvey, | 2d Lieut., | Taunton, | Mass. |
| Amoriah Vose, | Serj't, | Mindum, | do |
| Samuel Parsons, | do | Marblehead, | do |
| William Thomson, | Gunner, | do | do |
| John Day, | Mattross, | Boston, | do |
| William Beacon, | do | Woodstock, | Conn. |
| James Silvia, | do | New York. | |
| Cornelius Stagg, | do | do | |
| Thomas Shuhan, | do | do | |
| Amos Eastwood, | do | do | |
| Hugh Carr, | do | Peekskill. | |

ELISHA HARVEY, *Lieut. Artv*

ALBANY, 20th April 1779.

This is to certify that the within return is an exact copy of a return sent to his Excellency General Washington to be forwarded to the Board of Warr In consequence of a resolve of Congress passed in March last for that purpose.

JNO DOUGHTY, *B. M. Arty.*

Aug. 28, 1779.

Return of the Officers, Non-commissioned officers and Mattrosses, belonging to Capt George Fleming's Compy of Coll. John Lamb's Reg't of Artillery.

| | | |
|---|---|---|
| George Fleming, | Captain, | New York. |
| Jacob Reed, | Captain-Lieut, | do |
| Peter Nestil, | First-Lieut, | do |
| James Giles, | 2d Lieut, | do |
| John Burnsides, | 2d Lieut, | do |
| Uriah Rowland, | Qr Mast. Serjt, | N. Haven. |
| William Loudon, | Drum-Major, | New York. |
| Isaac Stymets, | Serj't, | do |
| Wm McKinney, | do | do |
| Peter Kip, | Corporal, | do |
| George Garland, | do | do |
| John Osmus, | Bombadr | do |
| Jas McDonald, | do | do |
| Sam'l Ganler, | Gunner, | do |
| David Rudolph, | do | do |
| Wm. Gurtley, | do | Boston. |
| John Wessels, | Drum, | New York. |
| Robert Sanders, | Fife, | do |
| Isaac Chace, | Mattross, | do |
| Peter Creiley, | Mattross, | New York. |
| Daniel Campbell, | do | do |
| David Cornwall, | do | do |
| Wm Drake, | do | do |
| Rich'd Duyckman, | do | do |
| John Flagley, | do | do |
| Peter Fuller, | do | do |
| Thos. Garrison, | do | do |
| Thos. Jones, | do | do |
| Joshua Ketchum, | do | do |
| Simon Loshey, | do | do |
| Jacob Morris, | do | do |



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| | | |
|---|---|---|
| Abr$^{m}$ Riekhow, | Mattross, | New York. |
| John Reins, | do | do |
| Jasper Stymets, | do | do |
| Peter Scurry, | do | do |
| John Taylor, | do | do |
| Adam Wandell, | do | do |
| Peter Young, | do | do |

N. B. All the above men, except Uriah Rowland, are enlisted for the war.

GEORGE FLEMING, *Capt Artillery.*

This is to certify that the within return is an exact copy of the return sent to his Excellency Gen'l Washington, to be forwarded to the Board of War in Consequence of a Resolve of Congress passed in March last for that purpose.

Aug$^{t}$ 28, 1779. JN$^{o}$ DOUGHTY, *B. M. Art$^{y}$*

Return of men Recruited in the State of New York for the service of the United States of America by Capt. Tho$^{s}$ Thedore Bliss of Coll. John Lamb's Regiment of Artillery, 1777.

| | | |
|---|---|---|
| Tho$^{s}$ Thedore Bliss, | Captain, | Boston. |
| Thomas Machin, | Capt-Lieut, | N. York. |
| Shepard Kollock, | 1$^{st}$ Lieut, | N. Jersey. |
| William Cebra, | 2$^{d}$ do | N. York. |
| Thomas Gee, | Sarg't, | Little Britain. |
| John Bichaman, | do | do |
| Joseph Holsteed, | do | Fishkills. |
| James M$^{c}$Bride, | do | N. York. |
| Daniel Thorne, | Corporal, | Bethleham. |
| William M$^{c}$Bride, | do | N. York. |
| Peter States, | Bumbad$^{r}$ | do |
| John Murphy, | do | do |
| George Clark, | Gunner, | Wallkill. |
| John Cunningham, | do | Little Britain. |
| William Ackerman, | Mattross, | N. York. |
| Samuel Woodroff, | do | Bethleham. |
| Israel Colman, | do | Little Britain. |
| James Whitmore, | Mattross, | Murdrers creek. |
| Jeremiah Randel, | do | Bedford. |
| John Nelson, | do | Nine Partners. |
| Benjamin Gobell, | do | Blooming Grove. |
| Joseph Gobell, | do | do |
| Weight Smith, | do | Goshen. |
| James Moore, | do | do |
| John Clark, | do | do |
| Achbil Deen, | do | N. Windsor. |
| Jonathan White, | do | Murdrers creek. |
| Amos Whitmore, | do | do |
| Richard M$^{c}$Cune, | do | N. Windsor. |
| Hugh Waterson, | do | do |
| Richard Smith, | do | Albany. |
| Oliver Hardin, | do | N. Windsor. |
| Thomas Thorp, | do | Smith Clove. |

THO$^{s}$ MACHIN, *Capt-Lieut.*

This is to certify that the within return is an exact copy of a Return sent to his Excellency Gen'l Washington, to be forwarded to the Board of Warr, in consequence of a Resolve of Congress passed in March last for that purpose.

Aug. 28, 1779. JN$^{o}$ DOUGHTY, *B. M. Art$^{y}$*

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A Return of the Officers & Men of Capt Gershom Mott's Company Colonel John [Lamb's] Regiment of Artillery.

| | | |
|---|---|---|
| Gershom Mott, | Captain, | New York. |
| Joseph Thomas, | Capt-Lieut, | Plymouth, Mass. |
| James Bradford, | 2d Lieut, | N. York. |
| Isaac Guion, | 1st Lieut, | N. Rochelle. |
| Peter Woodward, | 2d Lieut, | N. Haven. |
| Joseph Van Emburgh, | Sergeant, | Half Moon. |
| Robert Britt, | do | Spencertown. |
| Nathann'l Higgins, | do | Eastham, Mass. |
| Joseph Emerson, | do | Haverhill, do |
| Joshua Bishop, | Corporal, | Rumbout. |
| John Bevere, | Bombadier, | Saratoga. |
| Joseph Varneul, | do | Albany. |
| Jacob Hicks, | Gunner, | Rombout. |
| Lemuel Langley, | Drummer, | Dorchester, Mass. |
| John Mahony, | Mattross, | Albany. |
| Gabriel Bishop, | do | Rumbout. |
| John Cogan, | do | Albany. |
| Abraham Dutcher, | do | Rumbout. |
| John David, | do | do |
| Joseph Hunt, | do | Farmington. |
| Ambross Ladow, | do | Rumbout. |
| Abraham Myers, | do | New York. |
| William Robertson, | do | Albany. |
| John Russell, | do | Cortlandts Manor. |
| Robert Richardson, | do | Rumbout. |
| John Sunderlin, | do | Fairfield, Conn. |
| John Smith, | do | Spencertown, N. Y. |
| Jacob Wilsie, | do | Rumbout. |
| John Yurkse, | do | do |
| William Nelnit, | do | Fredericksburgh. |

GERSHOM MOTT, *Capt.*

New Windsor, State of New York, Aug 22d 1779.

This is to certify that the within return is an exact copy of a Return sent to his Excellency Gen'l Washington, to be forwarded to the Board of Warr, in consequence of a Resolve of Congress passed in March last for that purpose.

Aug. 28, 1779. JNO DOUGHTY, *B. M. Artry*

Return of the Officers, Non-Commissioned Officers and Privates in Captain John Doughty's Company Col[l] John Lamb's Regiment of Artillery.

| | | |
|---|---|---|
| John Doughty, | Captain, | N. York. |
| Thomas Thompson, | Capt-Lieut, | do |
| John Waldron, | 1st Lieut, | do |
| Chilion Ford, | 2d Lieut, | Morris, N. J. |
| Alexander Thompson, | 2d Lieut, | N. York. |
| Thomas Cochran, | Serjant, | do |
| James Forbus, | do | do |
| William Scott, | do | do |
| Farrel Summers, | Corporal, | do |
| David Johnson, | do | do |
| John Millspaugh, | Bombardier, | Walkill. |
| John Martin, | do | N. York. |
| James Bradley, | Gunner, | do |
| Dan'l McLean, | do | Walkill. |
| Squir Harris, | Drummer, | do |
| Isaac Douty, | Fiffier, | N. York. |

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| | | |
|---|---|---|
| John Davis, | Matross, | N. York. |
| William Higgins, | do | do |
| Barnard Hutson, | do | do |
| James Harris, | do | do |
| Isaac Johnson, | do | do |
| Olliver Lozier, | do | do |
| John Mallett, | do | do |
| Rich'd Savage, | do | do |
| Jerimia Hopkins, | do | do |
| Dan'l Smith, | do | Walkill. |
| Conrad Bush, | do | N. York. |
| Bezeliel Ackley, | do | Chatham, N. J. |
| Mickel Roe, | do | Springfield, N. J. |
| John Robinson, | do | do |
| Levi Sharp, | do | Maude creek, N. J. |
| Steven Carter, | do | Chatham, N. J. |
| James Casey, | do | Burlington, N. J. |
| John Kinsey, | do | Woodbridge, N. J. |
| Ellip$^{t}$ Moor, | do | do |
| Elisha Shell, | do | N. York. |
| Patrick Kelly, | do | do |

THO$^{s}$ THOMPSON, *Capt-Lieut, A.*

Camp near CHESTER, 18$^{th}$ August, 1779.

This is to certify that the within Return is an exact copy of a Return sent to his Excellency Gen'l Washington, to be forwarded to the Board of Warr, in consequence of a resolve of Congress passed in March last for that purpose.

Aug. 28, 1779. JN$^{O}$ DOUGHTY, *B. M. Art$^{y}$*

Return of the Officers, Non-commissioned officers and Matrosses in Capt. Andrew Moodie's Company in the Regiment of Artillery commanded by Col. John Lamb.

| | | |
|---|---|---|
| Andrew Moodie, | Captain, | Pokeepsie. |
| Cornelius Swartwout, | Capt-Lieut, | N. York. |
| Joseph Ashton, | 1$^{st}$ Lieut, | Philadelphia. |
| George Leaycroft, | 2$^{d}$ Lieut, | N. York. |
| Henry A. Williams, | 2$^{d}$ Lieut, | do |
| William Strahan, | 2$^{d}$ Lieut, | do |
| Abiel Pettie, | Serjeant, | Boston. |
| Thomas Kelton, | do | do |
| James Stack, | do | N. Windsor. |
| James Little, | do | Walkill. |
| James Brown, | Corporal, | Red Hook. |
| David Corbin, | do | N. Fairfield, Conn. |
| John Decker, | do | Walkill. |
| Robert English, | Bombadier, | do |
| Thomas Preston, | Gunner, | Fredericksburgh. |
| John Patterson, | do | Walkill. |
| John Hortwick, | Drummer, | N. Windsor. |
| James Purdy, | Fifer, | Whiteplains. |
| Wm. Bochanan, | Matross, | Little Britain. |
| James Bayde, | do | do |
| Hugh Crokert, | do | Goshen. |
| William Cunningham, | do | Little Britain. |
| Gideon Chase, | do | Oblong. |
| John Douglass, | do | Little Britain. |
| Joseph Deacon, | do | Newburgh. |
| W$^{m}$ Graham, | do | Walkill. |
| Thomas griffiths, | do | Peekskill. |

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| | | |
|---|---|---|
| John Garnet, ..... | Matross, ..... | Goshen. |
| David Hanmore,..... | do ..... | Little Britain. |
| John Hammon,..... | do ..... | Walkill. |
| Thomas Higgins, ..... | do ..... | Philadelphia. |
| Thos. Hagerthy,..... | do ..... | N. Windsor. |
| Hugh Lindsey,..... | do ..... | Walkill. |
| Moses Latta,..... | do ..... | do |
| And$^{w}$ M$^{c}$Farling, ..... | do ..... | Kingston. |
| Alexander M$^{c}$Coy, ..... | do ..... | Walkill. |
| Alex$^{r}$ Maffet,..... | do ..... | do |
| Christo$^{r}$ Medler,..... | do ..... | Kingston. |
| Samuel Miller,..... | do ..... | Walkill. |
| William Nichols,..... | do ..... | Little Britain. |
| Hugh Pauley,..... | do ..... | do |
| David Pembrook,..... | do ..... | N. Marlboro. |
| James Pembrook,..... | do ..... | do |
| John Sullivan, ..... | do ..... | Walkill. |
| James Sheerer,..... | do ..... | Little Britain. |
| Joseph Smith,..... | do ..... | Oblong. |
| Will$^{m}$ Swan,.... ..... | do ..... | Goshen. |
| James Vangerder, ..... | do ..... | Walkill. |
| Cornel$^{s}$ Vanderhof,..... | do ..... | Little Britain. |
| Robert Wigham, ..... | do ..... | do |
| Jesse Wood,..... | do ..... | Goshen. |
| Alex$^{r}$ Young, ..... | do ..... | Walkill. |

These certify that the within Return is a true copy taken from the original signed by Capt. Moodie.

JOSEPH ASHTON,
*Lieut. & Adj't Artillery.*

30$^{th}$ August, 1779.

This is to certify that the within Return is an exact copy of a Return sent to his Excellency Gen'l Washington, to be forwarded to the Board of Warr, in consequence of a resolve of Congress passed in March last for that purpose.

Aug. 28. 1779. JN$^{o}$ DOUGHTY, *B. M. Art$^{y}$*

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*Petition of Adjutant Hoogland and Colonel Dickinson.*

[Assemb.y Pap., &c., 14: 501.]

To His Excellency the Governor, the Senators & Assembly of the State of New York.

GENTLEMEN: To bear afflictions without repining has in all Ages been Deemed a Mark of Fortitude worthy of Commendation; but in a Land where Freedom has been the object, and proposed as the Reward of so Bloody and severe a Conflict as this country has felt, to suffer under Grievances without Remonstrating, is so far from proving its Principle a Virtue, that it Degenerates into a Vice too odious to be acknowledged by any Inhabitant in these *Free and Independent States.*

From this *Preamble* it will easily be conjectured that we suppose ourselves aggrieved, and wish Redress. The conjecture is Just, and we feel a Degree of Satisfaction not easy to be expressed, that we have an opportunity to lay our complaints before a Legislature chosen of Freemen from amoung ourselves, whose only aim can be the Prosperity and well being of those they Represent.

In the course of the arduous struggle in which we have been engaged, a Variety of Calamities have befallen Individuals not in the power of any Legislature to fore-

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see or avert—But that some who now stand foremost and most exposed in this contest, suffer peculiar hardships, is a truth which, we trust, none will deny. The depreciation of our continental currency has now become so greate and apparent, that to pretend to conceal or Disbelieve it, would rather be thought to Proceed from an *Obstinate* than a *Patriotic* Principle—the next question then arising is who are the principal sufferers—so long as the Intercourse between man and man subsists, and one Commodity bears pace with another, the Farmer and Merchant do not so readily feel the loss which the Public credit Sustains; but those whose *Salaries* and *Services* are fixed, feel the full weight of this Burthen, and must with *groaning bear up*, or with *bitterness sink under* the Load. It will not be Difficult to point out the men who more Immediately suffer in this Conflict; That the army have sacraficed much, none will Deny, but where the sacrifice will end it is hard to predict, while the Depreciation so rapidly continues. To whom then must we look for Redress? Certainly to our Constituents whose battles we are fighting, and whose Freedom we are Defending Jointly with our own—To you therefore we look up, in behalf of those in our Corps, which belong to this State, and while we give you our most Faithfull Services, we ask but the fulfillment of your most Solemn assurances—The Promise and Obligation on both Parties are mutually binding. We ask that General Justice may be done to the Troops of this State at large, and then that we may be considered among them; Reason pleads in favor of the Former; of the Latter a Resolution of the Honb^le Continental Congress of March 15th 1779 a copy of which is herewith enclosed—By this it appears that we are accounted as part of the Quotas of those States to which we respectively belong, and of course equally entitled to the advantages they afford.

We further beg leave to lay before the House the enclosed copy of an act of the Hon^ble Assembly of the State of Connecticut, passed in Consequence of the aforesaid Resolution of Congress.

Our situation is certainly very critical and trying, and after Duly stating our case, we trust we have Discharged that duty which we owe ourselves and those under our command.

Wishing your earliest Decision on this Subject, we remain gentlemen, with every mark of esteem and regard

Your most ob't and Very Humble Sv^ts

JERONEMUS HOOGLAND,
*Lieut & Adj't 2^d Reg't Light Dragoons,*
SILVANUS DICKINSON,
*Com^dt 2^d Reg't L. Dragoons.*

CROMPOND, June 14^th 1779.

The Committee to whom was referred the petition of Jeronomus Hoogland & Silvanus Dickinson of the second regiment of light dragoons, in the service of the United States, in behalf of themselves and others, report,

That provision ought to be made for the petitioners and others, and beg leave to recommend the following resolutions, to-wit:

*Resolved*, That the same provision be made *for the officers, non-commissioned officers, and soldiers, now belonging to the corps of light dragoons and artillery and infantry, and the corps of artillery artifficers*, which are or may be considered as part of the Quota of troops raised within this State, agreeable to a resolution of Congress passed the 15^th of March, 1779, which hath been made for the officers, non-commissioned officers and privates in the five continental Battalions, raised under the direction of this State, by an act entitled *an act for the payment of the several officers of Government, and for other purposes therein mentioned*, passed the 13^th March, 1779.

*Resolved*, That in every future provision to be made by this State, the said respective corps be provided for in like manner, with the five continental battalions raised within this State.

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*Descriptive Roll of the First Company, 2d New York Regiment, commanded by Col.* PH. CORTLANDT, *June 23d*, 1779.

[Mil. Ret. 29: 80.]

| NAMES. | Age | Trade or occupation. | Place of birth. | Where enlisted. | When enlisted. |
|---|---|---|---|---|---|
| Nathaniel Webb, S M., | 24 | Millwright, | State of New York, | Marbletown, | April 8, 1777. |
| Alex'der Dunn, Q. M. S., | 27 | Cabinet maker | Dublin, | Rochester, | 1779. |
| Isaac Morrell, D. M., | 19 | Cooper, | Long Island, | do | |
| David Morrison, Serg't, | 24 | Carpenter, | North Briton, | do | Nov. 27, 1778. |
| James Kip, | 41 | Lawyer, | South Carolina, | do | Feb. 6, 1777. |
| Isaac McCartney, | ... | Rope maker, | Newfoundland, | do | Nov. 27, 1778. |
| Isaac Wilsey, | 19 | Tanner, | State New York, | do | Dec. 18, 1778. |
| John Gavine, | 16 | Baker, | do | Peekskill, | Dec. 2, 1776. |
| James Scott, | 17 | None, | Claverack, | Rochester, | |
| James Ready, | 19 | do | Ireland, | Peekskill, | Dec. 6, 1776. |
| William Knight, | 20 | do | Mayreland, | Florlday, | Jan. 10, 1776. |
| Peter Cashedy, | 37 | Blacksmith, | Albany, | Smith's Clove, | Jan. 20, 1777. |
| Joel Tuthill, | 39 | Farmer, | L. Island, | Mindner's Krick, | Jan. 30, 1777. |
| Jonathan Roberts, | 44 | do | do | Fishkill, | April 30, 1777. |
| Caleb Smith, | 24 | None, | do | Peekskill, | Dec. 2, 1776. |
| Henry Elliott, | ... | | New Paltz, | Peenpeck, | Feb. 2, 1777. |
| Stanly Thompson, | 17 | Cord winer, | New Jersey, | Rochester, | Nov. 27, 1778. |
| John Wilhelo, | 17 | | New Paltz, | Peenpeck, | Nov. 15, 1778. |
| Abraham Weeks, | 56 | Tanner, | L. Island, | do | Nov. 23, 1778. |
| Joseph Beely, | 26 | Cutler, | Old Ingland, | Fishkill, | Jan. 5, 1779. |
| Christopher Smith, | 17 | Farmer, | G 9 Partners, | Rochester, | 1779. |
| Christopher Krom, | 17 | do | Minlsink, | Peenpeck, | Nov. 19, 1778. |
| Jacob Levi, | 21 | Baker, | Rhynbeck, | Rochester, | March 11, 1779. |
| John Rogers, | ... | | | Limingkill, | Nov. 15, 1778. |

Patrick Hamilton, John Hendrick Leek, James Molloy, deserted May 29th.

C. H. NUKERCK,
*Capt.-Lieut.*

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*Descriptive List of the 2d Compy in the 2d N. York Regt. commanded by Coll.* PHILLIP CORTLANDT, *June 23d*, 1779.

[Mil. Ret. 29: 7.]

| NAMES. | Age | Trade or occupation. | Place of birth. | Where enlisted. | When enlisted. |
|---|---|---|---|---|---|
| John Wilcox, Serg't, | 24 | Taylor, | Fredk Borrough, | Fredk Borrough, | 26th Feb., 1777. |
| John Jakewish, do | 23 | Sadler, | Jersey, | Schenectady, | 24 Feb., 1777. |
| Thomas Gray, Corpl, | 24 | Farmer, | Fredk Borough, | Fredk Borrough, | 26 Feb., 1777. |
| Jams Sherwood, do | 23 | do | Connecticut, | Oblong, | 24 Feb., 1777. |
| James Newcomb, do | 20 | Blacksmith, | Poughkeepsie, | Ft. Montgomery | |
| Jams Knap, Drum'r, | 15 | | Danbury, | Oblong, | 25 Feb., 1777. |
| Christopher Horton, private, | 21 | Joyner, | Massachusetts, | Fishkills, | 15 April, 1777. |
| Caleb Knap, do | 19 | Weaver, | Goshin, | Fredk Borrough, | 17 March, 1777. |
| Andrew Breadt, do | 43 | do | Schenectady, | Schenectady, | 10 March, 1777. |
| Isaac Knap, do | 30 | Farmer, | Poughkeepsie, | Albany, | 22d Mar., 1777. |
| John Olmstead, do | 22 | do | Cortlandt Manor, | Oblong, | 6 March, 1777. |
| Caleb Robarts, do | 34 | do | Oblong, | do | 17 Feb., 1777. |
| Nathl Sherwood, do | 18 | do | do | do | 26 Feb., 1777. |
| David Cole, do | 19 | Blacksmith, | Fredk Borrough, | Fredk Borrough, | 9 April, 1777. |
| Nicolas Hndsell, do | 54 | Tinker, | Germany, | Conogeobarry, | 26 April, 1778. |
| Saml Barnum, do | 20 | Farmer, | Danbury, | Trenton, | 1 Jany, 1777. |
| Stephen Barber, do | 19 | do | Oblong, | Danbury, | 8 April, 1777. |
| Psalter Pulman, do | 24 | do | R. Island, | Oblong, | 20 Feb., 1777. |
| Cornelius Vaness, do | 27 | do | Albany, | Schenectady, | 15 April, 1777. |
| Edward Cashedy, do | 28 | Mason, | Curry's Bush, | Cacghnawaga, | 7 March, 1777. |
| Francis Hood, do | 27 | | Ireland, | Fishkill, | 1 Jany, 1777. |

Thomas Nickerson discharged 8th February; John Weissenfels discharged 1st May.

CHRISTOPHER CODWISE *Lt.*

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*Descriptive List of the 3d Company in the 2d N. York Battalion.*

[Mil. Ret. 29: 77.]

| NAMES. | Age | Trade or occupation. | Place of birth. | Where enlisted. | When enlisted. |
|---|---|---|---|---|---|
| Geo. Douglas, | 32 | Tobacconist, | Winchester, | Fishkills, | Jan. 28, 1777. |
| Wm Occurman, | 23 | Weaver, | Tappan, | Haverstraw, | |
| Adam Trout, | 40 | Shipwright, | London, | do | |
| Mich'l Trout, | 14 | Musician, | Haverstraw, | do | |
| Tobias Weygint, | 20 | Farmer, | do | do | |
| Thos. Mason, | 26 | Stocks weaver, | England, | do | |
| Jno. Steel, | 20 | Cordwainer, | Haverstraw, | do | |
| Mynt Bogart, | 22 | Blacksmith, | Poughkipsie, | Poughkipsie, | Dec. 22, 1776. |
| Wm Smith, | 25 | Farmer, | Scotland, | Fishkills, | |
| Ebenezr Bailey, | 17 | do | 9 Partners, | do | |
| Robt Battershy, | 29 | Weaver, | Ireland, | do | |
| Abner Trimmons, | 16 | Farmer, | Boston Govt | Rochester, | Nov. 29, 1778. |
| Mich'l Cabbatson, | 40 | Brush maker, | Germany, | Peekskill, | |
| Jno. Rider, | 19 | Carpenter, | Rochester, | Rochester, | March 1, 1777. |
| Rich'd Wheeler, | 17 | Fisherman, | Marblehead, | Fishkills, | |
| Sam'l Ferguson | 16 | Farmer, | Pennsylva, | V. Forge, | |
| Mathw Freebush, | 16 | Baker, | N. York, | Poughkipsie, | |
| Jno. Lusk, | 15 | do | Claverack, | W. Plains, | Aug. 14, 1778. |
| Eli Egleston, | ... | | | | (Sick, absent.) |
| Jeremy Griggs, | 22 | | Pokeepsie, | | ( do ) |

Caleb Fish, died 31st March.
Isaac Ray, deserted 8th February.
Henry V. Kleck, deserted 13th February.
John Wentworth, discharged 6th May.

John Robinson, deserted 16th May.
Stephen Robinson, do do
Nathan'l Foster, do do

Camp, 23d June, 1779.

J. A. FAIRLIE, *Lieut.*

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*Descriptive List of the 4th Company in the 2d N. York Reg't commanded by* PHILLIP CORTLANDT, *Col*t *June the 22d*, 1779.

[Mil. Ret., 29: 46.]

| NAMES. | Age | Trade or occupation. | Place of birth. | Where enlisted. | When enlisted. |
|---|---|---|---|---|---|
| John Smith, | 30 | Coachman, | Ireland, | Fishkills, | Jan. 1, 1777. |
| Kimbell Prince, | 26 | Mason, | Boston, | Pickskill, | June 19, 1777. |
| Jonas Brown, | 20 | Farmer, | Goshen, | Fishkills, | Jan. 1, 1777. |
| Noah Hopkins, | 19 | do | State of N. York, | Nine partners, | Jan. 30, 1777. |
| John Grogen, | 48 | Weaver, | Ireland, | Pickskill, | Jan. 1, 1777. |
| Jesse Shermond, | 25 | Cupper, | Bolon State, | do | Dec. 1, 1776. |
| Peter Ross, | 17 | Farmer, | Pepenkented, | Werwisink, | Nov. 1, 1778. |
| George Claxton, | 27 | Wachmaker, | England, | Fishkills, | Jan. 1, 1777. |
| Jacob Albright, | 64 | Mill Wright, | Jermany, | do | Jan. 1, 1777. |
| Joseph Horsford, | 17 | Farmer, | Nowige, | Werwisink, | Dec. 10, 1778. |
| Peter Manhew, | 20 | do | Kent, | Oblong, | July 8, 1777. |
| John Braden, | 30 | Ditcher, | Ireland, | Pickskill, | Jan. 1, 1777. |
| William Hunt, | 23 | Weaver, | England, | Fishkills, | Jan. 1, 1777. |
| Evin Jones, | 30 | Farmer, | do | Nine partners, | Jan. 1, 1777. |
| John Vergan, | 24 | Butcher, | N. York, | Fishkills, | Jan. 1, 1777. |
| Robert Jinson, | 16 | Farmer, | St. N. York, | Wewasink, | Dec. 5, 1778. |
| Abraham Devore, | 21 | do | Geton, Va | Pickskill, | Jan. 1, 1777. |
| Abraham Springstead, | 28 | do | N. Y. State, | New Windsor, | March 19, 1777. |
| Andrew Bradner, | 18 | do | Gohen, | Gohen, | March 1, 1777. |
| Joseph Conklin, | 19 | Taylor, | Long island, | Gohen, | April 27, 1777. |
| Jacobas Countryman, | 16 | Farmer, | Marbletown, | Marbletown, | April 20, 1779. |
| Kendy Leary, | 34 | do | Ireland, | Peekskill, | Jan. 1, 1777. |
| Mathew Bell, | 30 | do | do | do | Jan. 1, 1777. |
| Thomas Dickings, | 25 | do | Danboury, | Warwick, | Jan. 1, 1777. |
| Cornelis Woodamore, | 30 | Fidler, | Horsneck, | Peekskill, | Jan. 1, 1777. |
| Nathaniel Whipple, | 50 | Farmer, | Connecticut, | Warwasink, | Nov. 1, 1778. |
| Phillip Corter, | 23 | Mason, | Warwick, | Gohen, | Sep. 1, 1777. |
| Daniel Thomson, | 24 | Farmer, | Dover, | Dover, | April 1, 1777. |
| John Stephens, | 38 | do | Maryland, | Peekskill, | Feb. 23, 1777. |
| Andrew Knickerbocker, | 21 | do | Nine partners, | do | April 27, 1777. |

James McMurdy, deserted 6th Decr, 1778.
Wm. Busby, do 7th do
Michael Man, do 23d do
Matthew Vredenburgh, deserted 10th April, 1778.

Nathan Whipple, died 24th June.
Andrew Knickerbocker, deserted 16th May, and returned 10th June.
John Stephens, deserted 11th July.

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*Description of the 5th Company Commanded by Captain Samuel T. Pell, in the 2d N. York Battalion Commanded by* PHILIP CORTLANDT, *Esq., June 22d, 1779.*

[Mil. Ret. 29: 84.]

| NAMES. | Age | Trade or occupation. | Place of birth. | Where enlisted. | When enlisted. |
|---|---|---|---|---|---|
| James Carson, Serg't, | 21 | Fuller, | Scotland, | Haverstraw, | Dec. 25, 1776. |
| John Shucraft, Serg't, | 22 | Weaver, | Shangunck, | King's ferry, | Jan. 1, 1777. |
| Wm. Campbell, Corp'l, | 26 | Brewer of Beer, | Ireland, | Peeks Kill, | Jan. 2, 1777. |
| Wm. Sarjeson, Drum'r, | 17 | Shoemaker, | Crown point, | Harrison's purchase, | Jan. 8, 1777. |
| Jacob Jones, Fifer, | 16 | Farmer, | Haverstraw, | Haverstraw, | May 19, 1777. |
| Robt. Ellison, Private, | 28 | do | do | do | Feb. 1, 1777. |
| John Peterson, do | 22 | do | Jerseys, | Singsing, | March 21, 1777. |
| Joseph Randoll, do | 27 | do | Salem, | White Plains | April 15, 1777. |
| James Dickins, do | 18 | do | Block Island, | do | April 15, 1777. |
| John Garrison, do | 19 | do | Haverstraw, | Haverstraw, | March 6, 1777. |
| Joseph Hadley, do | 20 | Cutler, | England, | Rochester, | Feb. 6, 1777. |
| Stephen Powell, do | 20 | Carpenter, | Long Island, | North castle | Jan. 1, 1777. |
| Hermau Davis, do | 22 | Farmer, | Singsing, | Singsing, | Jan. 1, 1777. |
| Caleb Chase, do | 17 | do | New purchase, | Rochester, | Nov. 3, 1778. |
| Philip Steves, do | 19 | do | Singsing, | Singsing, | Dec. 3, 1776. |
| Caleb Steves, do | 20 | Shoemaker, | do | do | Jan. 1, 1777. |
| Wm. Layton, do | 20 | Farmer, | Jerseys, | Rochester, | Nov. 19, 1778. |
| Shub'l Cuningham, do | 30 | do | Kingstreet, | King's street, | Jan. 1, 1777. |
| Noah Mott, do | 23 | do | Haverstraw, | Haverstraw, | Feb. 1, 1777. |
| John Hopper, do | 22 | do | New York, | Singsing, | Jan. 1, 1777. |
| John Webb, do | 23 | Weaver, | Woodbridge, | do | Jan. 1, 1777. |
| John Runnels, do | 26 | Farmer, | Jerseys, | Jersey, | Jan. 1, 1777. |
| Lazarus Spriggs, do | 16 | do | Nine partners, | Napannock, | Feb. 1, 1779. |
| Silas Jupiter, do | 22 | do | Harrison purchase, | White Plains, | June 3, 1777. |
| Daniel Shomaker, do | 16 | do | Singsing, | Singsing, | April 5, 1779. |

William Thompson, died 29th Nov'r, 1778.
Lewis Burlin, deserted 27th March, 1779.
Archibald Burgess, discharged 1st May, 1779.
Moses Grahams, deserted 19th June, 1779.

SAM'L T PELL, *Capt.*

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*Descriptive Return of the 6th Company, 2d New York Reg't.*

[Mil. Ret. 29: 3.]

| NAMES. | Age | Trade or occupation. | Place of birth. | Where enlisted. | When enlisted. |
|---|---|---|---|---|---|
| John Lester, | 28 | Yoman, | Conectieut, | Bueks County, | Jan'y 1, 1777. |
| Moses Harris, | 27 | Yoman, | Philips Manor, | Philips Manor, | March 22, 1777. |
| Andrew Dunlap, | 26 | | Cherry Valley, | Catskill, | May 19, 1777. |
| Barriek Wright, | 17 | | New York, | Fishkill, | Jan. 14, 1777. |
| Jacob Hollenbeek, | 18 | | Albany County, | Catskill, | Jan. 10, 1777. |
| Uriah Travis, | 23 | Yoman, | Westchester, | White Plains, | Mar. 23, 1777. |
| Abraham Depue, | ... | | | | Jan. 2, 1777. |
| David Fashee, | 22 | Wever, | Philips Manor, | Tarrytown, | Mar. 21, 1777. |
| Thomas Dolton, | 23 | Coper, | New York, | Peekskill, | April 1, 1777. |
| Thomas Stillwell, | 19 | Cooper, | New York, | Peekskill, | Feb'y 8, 1777. |
| John Cristeon, | 17 | None, | Carnaetaty, | White Plains, | Mar. 22, 1777. |
| Isaac Dean, | 19 | Yoman, | Long Island, | Philips Manor, | June 2, 1777. |
| Cornelias Vantasel, | 22 | Yoman, | Philips Manor, | Sing Sing, | Mar. 24, 1777. |
| James McKinney, | 37 | Wool Comer, | Edenborough, | Peekskill, | Feb. 14, 1777. |
| Samuel Street, | 20 | Shoemaker, | Long Island, | Catskill, | June 1, 1777. |
| Tunis Cole, | 17 | Wever, | West Chester, | White Plains, | Mar. 24, 1777. |
| Henery Depue, | 18 | Yoman, | Horsneek, | Kingstreet, | Mar. 29, 1777. |
| John Sedore, | 18 | Yoman, | West Chester, | Sing Sing, | Mar. 24, 1777. |
| Thomas Brooks, | 27 | Butcher, | Coventry, England, | White Plains, | Jan'y 2, 1777. |
| Peter Ousterhout, | 20 | Blaeksmith, | Catskill, | Catskill, | May 27, 1777. |
| Jonathan Palmer, | 28 | Yoman, | Conectieut, | Catskill, | June 6, 1777. |
| James Griffis, | ... | | | | Mar. 1, 1777. |
| James Johnson, | 17 | Wever, | Scotland, | Rochester, | Jan'y 31, 1779. |
| Franeis Depue, | 22 | Yoman, | Horsneek, | North Castle, | Jan'y 3, 1777. |
| Isaac Marlin, | 18 | Blacksmith, | Philips Manor, | Tarrytown, | Jan'y 15, 1777. |
| Henery Thomas, | 17 | Wever, | do | do | Feb. 9, 1777. |
| Henery Burdiek, | 19 | Yoman, | Rhode Island, | Catskill, | May 27, 1777. |
| John Youres, | 18 | None, | Living[n] Manor, | Valley Forge, | May 5, 1778. |
| Samuel Hitchcock, | 18 | Yoman, | Philips Manor, | Sing Sing, | Jan'y 1. |
| Fradrick Dolton, | 25 | Blaeksmith, | New York, | Fishkill, | Feb. 7. |
| Will[m] Kinyon, | 27 | Yoman, | England, | Tarrytown, | Jan'y 1, 1778. |
| Benj[a] Griffin, | 25 | Yoman, | Long Island, | Peekskill, | Jan'y 1, 1777. |
| Will[m] Mute, | 53 | Yoman, | Scotland, | Albany, | Feb. 7, 1778. |
| James Sertin, | 50 | Labourer, | England, | Albany, | Feb. 7, 1778. |
| Edward Weyley, | ... | | | | |

John Varnall, deserted 1st February.

JACOB WRIGHT, *Capt.*

CAMP JACOBS PLAINS, June 27, 1779.



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*Description List of the 7th Company, Commanded by Captain Jonathan Hallett, in the 2d N. York Reg't Commanded by* PHILIP CORTLAND, *Esq., Col., June 22d, 1779.*

[Mil. Ret. 29: 34.]

| NAMES. | Age. | Trade or occupation. | Place of birth. | Where enlisted. | When enlisted. |
|---|---|---|---|---|---|
| Fran^s Courtenay, | 26 | Weaver, | Ireland, | Fishkill, | Dec. 24, 1776. |
| Charles McKinny, | 45 | Farmer, | N. Jersey, | Peekskill, | Dec. 3, 1776. |
| Sim^n Lambertson, | 24 | Shoemaker, | N. York, | do | Dec. 8, 1776. |
| James Croft, | 23 | Farmer, | Goshen, | do | April 10, 1778. |
| James Rose, | 23 | Currier, | N. York, | do | Dec. 17, 1776. |
| John Morrell, | 25 | Farmer, | L. Island | do | Dec. 7, 1776. |
| Charles Darby, | 16 | do | Goshen, | Goshen, | April 1, 1777. |
| John Collins, | 20 | Weaver, | Blackwell's Isl'd, | Fishkill, | Jan. 1, 1777. |
| Sam'l Griffith, | 32 | Malster, | England, | Peekskill, | Dec. 7, 1776. |
| Jacob Rose, | 20 | Farmer, | Marbletown, | Rochester, | Nov. 1, 1778. |
| Jonathan Briggs, | 24 | Baker, | Boston, | Warwasink, | April 12, 1779. |
| James Kealy, | 51 | Currier, | England, | Peekskill, | April 14, 1777. |
| James Curry, | 20 | Farmer, | Philips Pat, | do | April 14, 1777. |
| Conrad Cohlar, | 18 | Cutler, | Germany, | do | April 14, 1778. |
| John Padder, | 30 | Baker, | England, | Fishkill, | Jan. 2, 1777. |
| William White, | 24 | Sailor, | Jamaica, | do | April 11, 1777. |
| John Oakley, | 34 | Weaver, | Staten Island, | do | Feb. 22, 1778. |
| Will^m Gilbert, | 39 | Hatter, | N. York, | Peekskill, | Dec. 7, 1776. |
| John Venice, | 20 | Laborer, | L. Island, | do | Dec. 7, 1776. |
| John Astin, | 19 | Farmer, | Fredericksburgh, | do | Dec. 7, 1776. |
| Melcher Havelish, | 36 | Hostler, | Germany, | du | April 15, 1778. |
| Peter Slutt, | 19 | Smith, | N. Jersey, | do | Dec. 7, 1778. |
| Adam Hinalan, | 22 | Miller, | Germany, | do | March 23, 1778. |
| Martin Symon, | 46 | Laborer, | Germany, | Rhyobeck, | April 21, 1777. |
| Mich^l Sellers, | 23 | Barber, | N. Jersey, | Peekskill, | Dec. 7, 1776. |
| John Shutler, | 19 | Farmer, | Rynbeck, | Rynbeck, | April 21, 1777. |
| Rich^d Smith, | 18 | Shoemaker, | L. Island, | Peekskill, | Dec. 16, 1776. |
| Oliver Arnold, | 28 | Farmer, | Fred^kburgh, | do | May 21, 1778. |
| Charles Moore, | 28 | Sailor, | England, | do | Dec. 6, 1776. |
| Peter Donaldson, | 21 | Currier, | N. Rochelle, | do | Dec. 16, 1776. |
| Moses Mulliner, | 20 | Weaver, | L. Island, | do | Dec. 7, 1776. |
| Jer^h McGowan, | 24 | Barber, | N. York, | do | Jan. 1, 1777. |
| John Foster, | 22 | Baker, | L. Island, | do | Dec. 2, 1776. |
| John Bennett, | 20 | Cooper, | Topham, | do | Dec. 5, 1776. |

John Miller, deserted 24th December, 1778.
Francis Williams, drowned, 3d April, 1779.

Oliver Arnold, deserted, 22d June.

JONATHAN HALLETT, *Capt.*

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*Description List of the 8th Company in the 2d N. York Battalion, June 21st 1779.*

[Mil. Ret. 29: 87.]

| NAMES. | Age. | Trade or occupation. | Place of birth. | Where enlisted. | When enlisted. |
|---|---|---|---|---|---|
| Serg't Thos^s Duncan, | 23 | Soldier, | Southampton, | Peekskill, | Dec. 18, 1777. |
| Corp'l James Lewis, | 20 | Farmer, | Shangorn, | Romapaw, | Feb. 28, 1777. |
| John Conway, | 25 | Shoemaker, | Marbletown, | Marblet'n, | Jan. 1, 1777. |
| Israel Walker, | 35 | Farmer, | Connecticut, | Peekskill, | May 30 1777. |
| David Condon, | 48 | do | Ireland, | Rochester, | March 14, 1777. |
| Robert Cox, | 20 | do | N. York State, | Ulster Co., | April 27, 1777. |
| Michel Lyons, | 45 | Fuller, | Germany, | Marblet'n, | April 12, 1777. |
| Jacob Lomas, | 29 | Shoemaker, | Marliand, | Albany, | Aug. 19, 1777. |
| Ronald McDonald, | 39 | do | New Brunswick, | Rheinbeck, | May 13, 1778. |
| Abr^m Sherwood, | 25 | Mason, | Westchester Co., | Horse Neck, | May 12, 1777. |
| Jacobus Vanatter, | 45 | Farmer, | Rheinbeck, | Marblet'n, | Jan. 1, 1777. |
| Zecheriah Vandemark, | 24 | Weaver, | Walkill, | Peekskill, | Jan. 1, 1777. |
| W^m Wheler, | 40 | Farmer, | Marblet'n, | Fort Clinton, | May 13, 1777. |
| Peleg Adams, | 22 | Comber, | Rhode Island, | Peekskill, | June 12, 1777. |
| Hen^dr May, | 50 | Shnemaker, | Germany, | Rheinbeck, | Jan. 7, 1778. |
| Hen^dr Stevens, | 35 | Butcher, | do | do | Jan. 10, 1778. |
| Henry Cunningham, | 21 | Waggoner, | Salem, | Groningen, | June 19, 1779. |
| Fifer, Geo. Weissenfels, | 14 | | New York. | | |

Thomas Cowen, discharged 18th January, 1779.
Serg't James Stillwell, discharged 20th June.
do Isaac Loffborough, deserted 6th January.

Peter bush, deserted 20th April.
John McDonald, deserted 15th May.

C. V. WEISSENFELS, *Lieut.*

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*A Plan of the* SURPRISE *of*

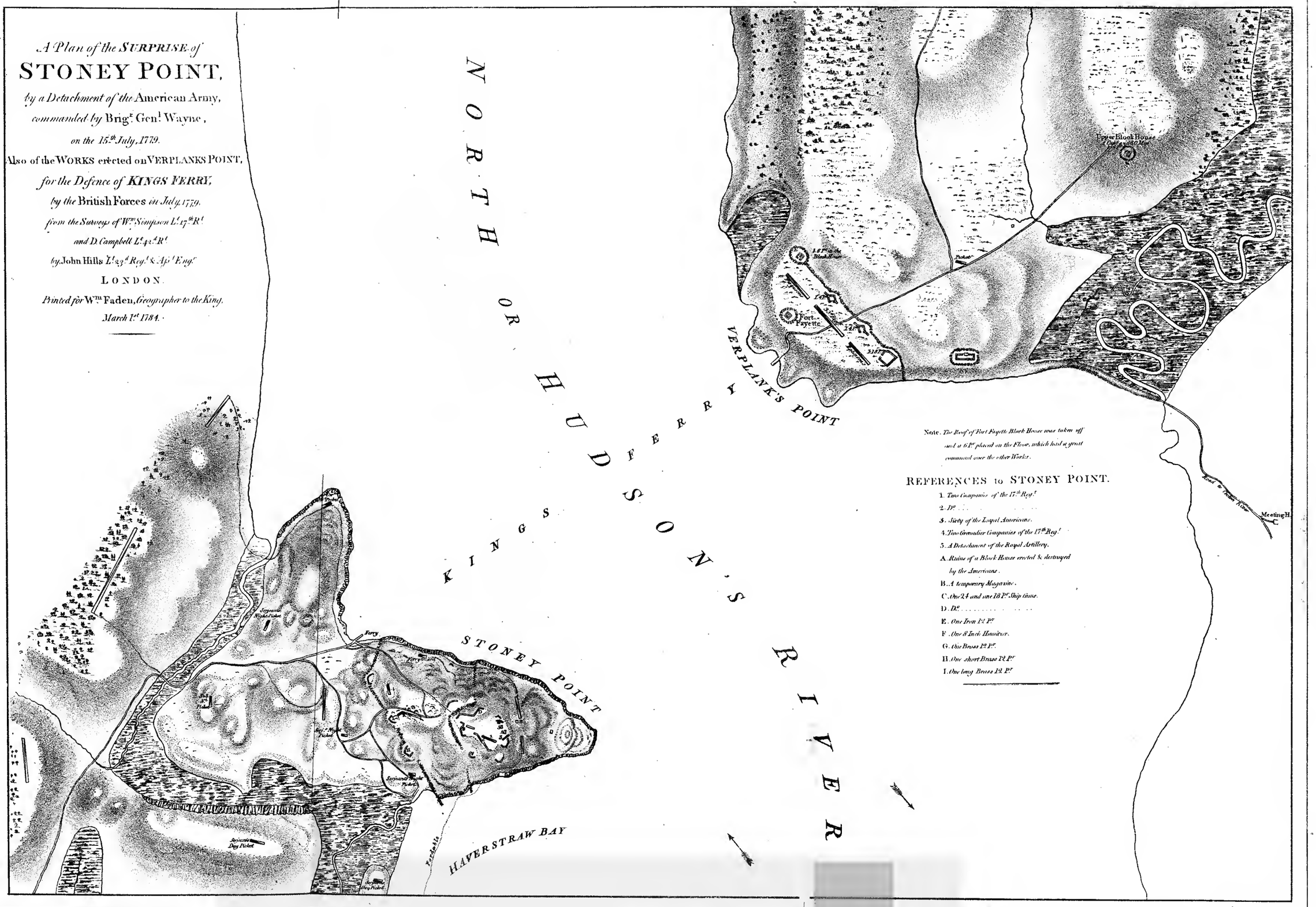
# STONEY POINT,

*by a Detachment of the* American Army,
*commanded by* Brig.r Gen.l Wayne,
*on the 15th July, 1779.*

Also of the WORKS erected on VERPLANKS POINT,
*for the Defence of* KINGS FERRY,
*by the* British Forces *in July, 1779.*
*from the Surveys of* Wm. Simpson L.t 17th R.t
*and* D. Campbell L.t 42d R.t
*by* John Hills L.t 23d Reg.t & Aj.t Eng.r

LONDON.

*Printed for* Wm. Faden, *Geographer to the King,*
*March 1st 1784.*




Note. *The Roof of Fort Fayette Block House was taken off and a 6 P.r placed on the Floor, which held a great command over the other Works.*

## REFERENCES to STONEY POINT.

1. *Two Companies of the 17th Reg.t*
2. *D.o*
3. *Sixty of the Loyal Americans.*
4. *Two Grenadier Companies of the 17th Reg.t*
5. *A Detachment of the Royal Artillery.*

A. *Ruins of a Block House erected & destroyed by the Americans.*
B. *A temporary Magazine.*
C. *One 24 and one 18 P.r Ship Guns.*
D. *D.o*
E. *One Iron 12 P.r*
F. *One 8 Inch Howitzer.*
G. *One Brass 12 P.r*
H. *One short Brass 12 P.r*
I. *One long Brass 12 P.r*

Am. Photo-Lithographic Co. N.Y. / Osborne's Process.

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*Description Roll of the Company of Light Infantry in the 2d N. York Reg't, June 22d 1779.*

[Mil. Ret. 29: 51.]

| NAMES. | Age. | Trade or occupation. | Place of birth. | Where enlisted. | When enlisted. |
|---|---|---|---|---|---|
| Abm Griffith, | 24 | Yeoman, | Dutchess, | Dutchess, | Feb. 26. |
| Thomas Buntlog, | 23 | Fuller, | England, | Rochester, | March 14. |
| Jnoth Trimmin, | 32 | Shoemaker, | Boston, | P. Kill, | Jan. 4, 1777. |
| Henry Rich, | 24 | Yeoman, | Westchester, | Bedford, | March 11. |
| Lewis Nowe, | 20 | Tinner, | N. Jersey, | P. Kill, | April 3, 1779. |
| John Bartholomew, | 28 | Yeoman, | do | Rochester, | Nov. 16, 1779. |
| John Tomson, | 25 | Carpenter, | Dutchess, | P. Kill, | Nov. 26, 1776. |
| Jonathan Benjamin, | 18 | Yeoman, | New York, | Warrick. | |
| David Lambert, | 26 | Mason, | N. Jersey, | do | |
| John Hitchcock, | 20 | Yeoman, | Westchester, | Sinksing. | |
| Thomas Huotly, | 24 | Cupper, | Connecticut, | Haverstraw. | |
| Meses Cavender, | 33 | Sailor. | Ireland, | P. Kill, | March 11. |
| Peter Boice, | 20 | Yeoman, | Dutchess, | do | March 29, 1779. |
| Jeremiah Bennet, | 19 | Shoemaker, | L. Island, | Haverstraw, | April 3. |
| Merten Mitchell, | 21 | do | Dutchess, | P. Kill, | April 7. |
| George Cable, | 20 | Yeoman. | Germany, | W. Plains. | |
| Robert Burns, | 24 | Cabinet Maker, | N. York, | P. Kill, | April 5, 1779. |
| Joseph Kitcham, | 21 | Yeoman, | Dutchess, | Crumpan, | |
| Philip Cole, | 22 | do | Ulster, | Kummunapaugh, | March 9, 1779. |
| Archibald Armstrong, | 19 | do | Orange, | Warrick, | April 3, 1777. |
| Cornelius Quick, | 20 | Shoemaker, | Ulster, | Rochester, | Nov. 26. |
| Jacob Quick, | 18 | Yeoman. | do | do | Nov. 26. |
| Andries Christopher, | 46 | Shoemaker, | Germany, | Rhynbeck, | Dec. 2, 1778. |
| Moses Burdick, | 25 | Blockmaker, | Boston, | Fishkill, | Nov. 19, 1778. |
| Isaac Mott, | 19 | Yeoman, | Connecticut, | Rochester, | Jan. 27, 1779. |
| Daniel Holmes, | 19 | do | Westchester, | W. Plains. | |
| Samuial Benjamin, | 16 | do | Orange, | Rochester, | April 14. |
| Jacobus Ivory, | 21 | Weaver, | Ulster, | P. Kill. | |
| Thomas Grill, | 23 | Yeoman, | Germany, | Rhynbeck, | Nov. 22. |
| Edward Taylor, | 38 | Taylor, | Ireland, | Rochester, | Jan. 3. |
| John Ten Eyck, | 22 | Yeoman, | Schenectady, | Schenectady, | March 22. |
| Merten Brust, | 27 | | Germany, | Rochester, | Dec. 22, 1779. |
| Henry Mount, | 25 | | do | Rhynbeck, | Dec. 25, 1779. |
| Charles Powers, | 24 | Barber, | New York, | P. Kill. | |
| Henry Pichtol, | 25 | | Pennsylvania, | Rhynbeck, | April 7, 1779. |
| John Smith, | 22 | | Germany, | do | Dec. 7, 1779. |
| William Wheeler, | 23 | Taylor, | N. York, | Rochester, | Nov. 26, 1779. |
| William Newton, | 29 | Shoemaker, | England, | do | Nov. 26, 1779. |
| William Shaw, | 25 | Carpenter, | N. Jersey, | Rhynbeck, | Feb. 4, 1779. |
| Johannis Frederick, | 24 | | Germany, | do | Jan. 9, 1779. |
| James Johnston, Fifer, | 20 | | Ireland, | | Oct. 16. |

ABNER FRENCH, *Capt.*

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*Petition of Abraham Leggett.*

[Assembly Pap. &c., 14: 511.]

To his Excelency the governor and the Honorable the Senate and general assembly of the State of New York may it Please your Excelency and you gentlemen of the Senate and assembly.

The humble Petition of Abraham Leggett who hath served as an officer in the armey of the united States since July 1776 and being taken prisoner at fort montgomery and Caried to New York and from thence paroled on Long Island and their Stayed untill the 12th of March Last at which time, for Reasons now Known to his Excelency the governor, I come off to Norwalk and as soon as Posable I made Known my Reasons for coming off, and I found my family under Low Circumstances by Reason of my being in Captivity and not able either to advise or assist my wife for her support for Eighteen months, and as by a Late act of assembly Each officer Serving in the five Continental Battalions Raised under the Direction of this State have one hundred and fifty pounds paid as a gratuity to provide themselves Cloathing and Subsistence, and as your Petitioner humbly Conceives that the said gratuity may with propriety be paid to him by the treasurer, altho your Petitioner is not at present in actual service; theirfore your Petitioner now waits for your further Directions and assistance to git said gratuity and it will be gratefully excepted and your Petitioner as in duty bound shall ever pray.

SALEM, 11th August, 1779.

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*Muster Roll of Captain Wendell's Company.*

[N. Y. Col. MSS. 102: 7.]

A Muster Roll of Captain John H. Wendell's Company in the first Battalion New York Forces, in the Service of the United States commanded by Colonel Goose Van Schaick for the month of December 1779.

Captain John H. Wendell, Commissioned March 1st 1776.
Lieut Nathaniel Henry, Commissioned November 21st 1776.
Ensign Henry Van Woert, rank Second Lieut on command at Albany, Commissioned November 21st 1776.
Ensign Jeremiah C. Muller, Supernumerary, Commissioned November 21st 1776.

| | What Term. | Remarks. |
|---|---|---|
| *Serjeants.* | | |
| Peter Gasper, | during War, | |
| Abraham Defreest, | | Prisoner with the Enemy, 23d [July, 1779. |
| William Ferguson, Jany 20th 1777, | three Years, | |
| *Corporals.* | | |
| James Parker, | during War, | |
| James Atkinson, | | |
| Patrick Kelly, | | |
| *Drum.* | | |
| Richd Js Parker, | | |
| *Fife.* | | |
| John Cronkhite, | | |
| *Privates.* | | |
| Francis Acklin, | during War, | |
| Ephraim Blanchard, | | [during War. |
| George Bachus, 1777, Augt 20th | three Years, | reinlisted 20th December 1779, |
| Peter Clopper, Febry 17th | do | |
| Patrick Cronkhite, | during War, | [ing War. |
| John Decker, 1776, Decr 27th | three Years, | reinlisted 25th Decr 1777, dur- |
| George Fulmer, | during War, | |
| Benjamin Goodale, | | on Command at Saratoga. |
| Peter Gardner, 1777, Octr 16th | three Years, | |
| Thomas Hattis, | during War, | do do |
| Isaac Morris, April 21st | three Years, | |
| William McManus, April 30th | do | do Albany. |
| George Notewear, | during War, | |
| William Orr, | | |
| Jotham Prindle, | | Sick in Garrison Hospital. |
| Christian Philips, | | |
| Frederick Proper, | | [for two months. |
| Joseph Perkins, | | on furlough by Major Graham |
| Martinis Rees, | | on furlough by Major Graham |
| Christopher Rudolph, | | [for forty days. |
| Jacob Snyder, | | |
| Henry Shaver, | | |
| Samuel Ludlow, | | |
| John Seiger, | | |
| Christean Stader, | | |
| Benjamin Scudder, | | [for 60 days. |
| Jeremiah Skeen, | | on furlough by Major Graham |
| Samuel Turner, | | |
| Thomas Welch, | | |
| John Wyatt, | | |
| William Wederwax, | | |
| Richard Whalen, | | |
| John Windsor, | | |

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| *Privates.* | What Term. | Remarks. |
|---|---|---|
| Adam Weaver, 1777, Jan$^{y}$ ..... | three Years, | [4$^{th}$ 1779. |
| Anthony Crowder, ..... | during War, | Prisoner with the Enemy, June [23$^{d}$ 1779. |
| William Kincaid, ..... | | Prisoner with the Enemy, July |
| Hosea M$^{c}$Farlan, ..... | | Prisoner with the Enemy, July [23$^{d}$ 1779. |

Fort Schuyler, January 3$^{d}$ 1780. Mustered then Captain Wendell's Company, as Specifyed in the above Roll. ABR$^{M}$ TEN EYCK, *D. M. M$^{r}$*

We do Swear that the within Muster Roll is a true State of the Company, without Fraud to the United States, or to any Individual according to our best knowledge.

Sworn before me in Garrison at Fort Schuyler, January 3$^{d}$ 1780.
Jn$^{o}$ Graham, Maj.

JN$^{o}$ H. WENDELL, *Cap$^{tn}$*
N. HENRY, *Lieu$^{t}$*

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*Letter.*

[Assoc. 30: 511.]

Sir: Among other Resolutions of Congress one of the 5$^{th}$ of May last relative the Settlement of accounts of the late Commissary Gen. Trumbull has been laid before the Legislature.

An Act of the Legislature of this State passed the 5$^{th}$ day of March 1779, Entitled [An Act to enable the Recovery of the Continental Demands, and for punishing the Misbehaviour of Persons in Continental Employ] is perhaps as ample and full for this purpose as any Law that can be passed. If on perusal of the said Act any further provision would be tho't necessary, it will be necessary for some Gentleman at Congress by a private Letter to some person here to suggest what may be most conducive to such settlement. An Act passed as early as the 30$^{th}$ of March 1778, appointing persons to take in Subscriptions for Loans on Loan office certificates, has hitherto been ineffectual because the persons appointed cannot afford, at their own Expense & risque to receive large Sums of Money Convey the same to the Treasury Office and obtain & distribute the Certificates.

Dirck Ten Broeck, Esq$^{r}$ Commissioner of the Continental Loan office in this State, (on account of his ill state of Health) has sent to the Legislature a resignation of that office. An Act will speedily pass to enable the appointment of a Successor with proper Sureties.* As there are several Candidates for the Office I can't yet inform you who will be the officer, tho I presume it will be either Abraham Yates, Jun. Esq$^{r}$ Joseph Gasherie Esq$^{r}$ or Colo Lush.

If Congress would make it the duty of the Commissioner of the Loan Office, or some other provision to deliver the loan office Certificates to those who take the Subscriptions and to receive the money and convey it to the Office large sums might be obtained.

I am of opinion that by proper Measures and attention much more than half the money in the State might be speedily brought into the Loan office.

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*Names of Prisoners examined by Messrs. Van Houten and Clark.*

[Assoc. 30: 385.]

Cornelius Lyster, Esq$^{r}$
John M$^{c}$Arthur,
Tho$^{s}$ M$^{c}$Daniel,
Dan$^{l}$ Hanes,
Tho$^{s}$ Murphy,
John Armstrong,
Peter Depomp,
Nicholas Rouse.
} Examined being Charged with Disaffection.

Persons Confined for Theft.
John De Graff,
Arch$^{d}$ Morison,
—— Banker,
—— Banker,
—— Davis,
} for stealing in the 9 partners.
Obadiah Compton, Examined.

* Passed 8 October, 1779.

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Persons Committed by Gen[l] James Clinton.

Wm Adamson, the British Officer & those taken in Company with him.
James Smith,
Wm Smith, in Irons,
Thos Miles, do.
Isaac Washburn, in Irons,
Isaac Wall,
Thos Bryant, Examined,
Wllm Eligh,
Adam Barr, Discharged,
Wm McDermott,
Jos Hons,
Thos Porter, Discharged,
John Hole,
Barnet Miller,
Edmon Tompkins,
Capt. John Greham,
Anthony Stephens,
Calleb Hyatt,
Levy Quimby,
Nat Quimby,
Elisha Lewis Revila.

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*Colonel Gansevoort to Governor Clinton.*

[From the Original in Sec. of State's office.]

CAMP ORANGE TOWN, 16th Aug. 1780.

SIR: Your Excellency's favor of ye 20th ult. directed to General Clinton, I had the honor to receive, the General being absent; and have agreeable to your Excellency's request, referred the affair of Mr Glenny to the field officer of the brigade. If your Excellency, by the particular reference of Mr. Glenny's case to us, intended that we should determine what the General Practice of the army has been in like cases; we are not sufficiently informed to give a determinate and satisfactory answer;—if we were to confine our inquiry to the practice of the Brigade, several instances might be added in favour of Mr Glenny's claim—but if we were to speak our minds on the propriety of his claim, abstracted from precedent—and mention the particular point of time that his promotion should on strict military principles be dated, we must declare that it is our clear and unanimous opinion that, while Mr White continued in service, Mr Glenny could have no claim to an elder vacancy, but that his promotion should be dated on the day of Mr. White's resignation.

Should the council of appointment be influenced by our opinion and adopt it as a rule for future promotions, beginning with Mr. Glenny, we would recommend it to them to attend to Mr. Bagley's appointment, who is in the same predicament with Mr. Glenny, and date his promotion on the 31st day of March 1780, the day of Mr. Spoor's dismission from service.

Capt. Wiley in a letter which I have lately received, mentions a necessity of appointing an Issuing Commissary which the law of ye Legislature makes no provision for; and requests that I would suggest the matter to your Excellency; that some temporary appointment may be made to prevent any delay of our receiving those stores which are to be at Mr. Guysbert Schenck's at Fish Kill the 20th inst. As we have no particular person in view, for this place, we submit the appointment to your Excellency.

I have the honor to be your Excellency's most ob't hum. serv't.

PETER GANSEVOORT.

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*Petition of Officers of the New York Continental Regiments.*

[Assembly Pap. 1: 223.]

To the Honorable the Senate and Assembly of the State of New York:

Conceiving ourselves impelled by Principles of Patriotism, love of Freedom, and attention to the Public Weal, to announce our Sentiments on the present important subject of the Public Finances; We the Officers of the New York Line who hold our appointments under the Legislature of our State, beg leave to remark:

That though we have with no small degree of pain and anxiety observed the Daily and Rapid Depreciation of our Currency whereby the joint and collected

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Efforts & Exertions of the Continent have been in some measure baffled, the object of the War delay'd, and the event in a small degree made doubtfull; we do with no less pleasure behold the genius of America, happy in invention and fruitfull in its expedients, pointing to a measure which at the same time that it seems calculated to prevent an increase of those Mischiefs that threatened from a farther depreciation, appears to us the only eligible means to effect the important object of its Design at this interesting Period.

Had we been actuated by those motives that have unfortunately characterized so large a class of People, and like them basely prefer'd the Amassing of Wealth to the Public and General Good, or having receiv'd large sums of the present circulating money at an early period of the Controversy, and from a Persuasion of its ultimate Appreciation, had we quietly retained it to the present day, perhaps in either of those cases a *Slight* and *Partial* Enquiry into the subject might induce a Wish repugnant to the laudable Design of the Resolutions & Recommendations of the Honorable the Congress of the 18th of March last.

But unembarassed with the Fetters of Interest, we conceive ourselves competent to the task of Judging on this Subject, and are well convinc'd that it is not only the Measure which reason and good Policy dictate, but that it is so necessary for the Preservation of the Public cause, that it should be adopted by the several Legislatures without Delay, to the end that the public Measures pursuing by Congress may not be Deranged nor the service Impeded.

We therefore in our own names as Inhabitants of the State, most earnestly solicit that the Resolutions and Recommendations above alluded to, may meet the Countenance and Concurrence of your Legislature, and be by you adopted as early as convenient.

We have the honour to be, with due respect, Gentlemen,

James Clinton, Brig.-General,
John Gano, Chaplain,
Philip Cortland, Colonel,
Fred. Weissenfels, Lieut.-Col. Com'dr,
M. Willett, Lieut-Col. 3d N. Y.,
Nichs Fish, Major 2d Reg't,
Charles Graham, Capt. 2d N. Y.,
Sam'l T. Pell, Capt. 2d Reg't,
Jacob Wright, Capt. 2d Reg't,
Jonathan Hallett, Capt. do
Abner French, Capt. 2d N. Y.,
E. Marshall, Capt. do
Dan. Menema, Surgeon, do
Robert Provoost, E. & P. M.,
Wm. Glenny, Lieut,
B. Swartwout, Enn 2d N. Y. Reg't,
Wm. Munday, Lieut. 2d N. Y. Reg't,
John L. Hardenbergh, Lieut. & Adj't. 2d N. Y. Reg't,
C. F. Weissenfels, Lieut. 2d N. Y. Reg't,
J. Brown, Ensign, 2d N. Y. Reg't,
Israel Smith, Capt. 4th N. Y. Reg't,
Thos. Hunt, Lieut. 4th
Peter V. Bunschoten, Lieut. 4th N. Y. Reg't,
Jonathan Titus, Capt. 4th N. Y.,
Joseph Frilick, Lieut. 4th N. Y. Reg't,
Theods Fowler, Capt. 4th N. Y. Reg't,
Edward Dunscomb, Capt.-Lt. 4th N. Y.,
Silas Gray, Lieut. 4th N. Y.,
James Barrit, Lieut. N. Y. Reg't,
Sam'l Dodge, Ensign, 4th N. Y.,
Daniel Deniston, Ensign, 4th N. Y.,
Ephraim Woodruff, Ensign, 4th N. Y. Reg't
Peter Elsworth, Lieut. & Adj't. 4th N. Y.,
Samuel Tallmadge, Ensign, 4th N. Y. Reg't,
Abner W. Prior, Surgeon's Mate, 4th N. Y.,
John Davis, Capt. 4th N. Y. Reg't,
John Johnson, Capt. 5th N. Y. Reg't,
Barthw V. D. Burgh, Ensign, 4th N. Y. Reg't,
J. F. Hamtramck, Capt. 5th N. Y. Reg't,
H. V. D. Burgh, Lieut. 5th N. Y. Reg't,
Henry Dodge, Lieut. & Adj't. 5th N. Y. Reg't,
Hen. Dubois, Capt.-Lieut. 5th N. Y. Reg't,
Samuel English, Lieut. 5th N. Y. Reg't,
Geo. Sytez, Capt.-Lieut. 3d N. Y. Reg't,
John Elliot, Jr., Serg't-Major, 3d N. Y.,
Henry Tiebout, Capt. 3d N. Y. Reg't,
Christopher Hutton, Lt. & Adj't. 3d N. Y. Reg't,
James Stewart, Capt. —— N. Y.,
Cornelius T. Jansen, Capt. 3d N. Y.,
Aaron Aorson, Capt. 3d N. Y.,
J. Bagley, Ensign, 3d N. Y. Reg't.

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*Return of Men who are improperly Absent from the 2d New York Regt Commanded By Col.* PHILIP CORTLANDT, *Feby ye 3d*, 1780.

[Mil. Ret. 29: 289.]

| | AGE. | SIZE. | | Complexion. | Color of hair. | Color of eyes. | Trade or Occupation. | Places where they are. |
|---|---|---|---|---|---|---|---|---|
| | Years. | Ft. | In. | | | | | |
| Harman Davis, | 23 | 5 | 9 | Fair, | Brown, | Black, | Farmer, | Singsing. |
| Zachariah Vandemerk, | 36 | 5 | 10 | Fair, | Light, | Gray, | Weaver. | Shungunk. |
| Cornelius Woodmore, | 35 | 5 | 9 | Black, | Black, | Black, | | Sedman's Clove. |
| Philip Carter, | 20 | 5 | 9 | Light, | Brown, | Blew, | | Marbletown. |
| Thomas Dickins, | 25 | 5 | 6 | Fair, | Brown, | Gray. | | Denbury. One Eye out. |
| Isaac Knapp, | 30 | 5 | 11 | Dark, | Brown, | Brown, | | Fishkill. |
| Joel Tuttle, | 38 | 5 | 8 | Dark, | Brown, | Gray, | | Blooming Grove. |
| Jacob Levy, | 27 | 5 | 7 | Fair, | Brown, | Gray, | Weaver, | Rhynbeck., |

CHARLRS GRAHAM, *Capt. Command'g.*

*Return of the Names, Rank, Dates of Commissions, &c., of the Field Officers of the New York Line. — Camp, Feb. 5th*, 1780.

[Mil. Ret. 29: 263.]

| NAMES. | Rank. | Causes of Absence. | Place Where. | Times of Absence. | Dates of Commission. |
|---|---|---|---|---|---|
| Goose Vs Schaick, | Colonel, | On command, | Fort Schuyler, | 1st Dec., 1778 | 30th June, 1775 |
| Philip Van Cortlandt, | " | | Present, | | 21st Nov., 1776 |
| Peter Gansevoort, | " | Sick. | Albany, | 1st Sept., 1779 | 21st " " |
| Frederick Weissenfels, | Lieut.-Col. Comd, | Furlough, | Crompond, | 2d Feb., 1780 | 14th Dec., 1778 |
| Marinus Willett. | Lieut.-Col., | | Present, | | 21st Nov., 1776 |
| Cornl Vn Dyck, | " | Command, | Fort Schuyler, | 1st Dec., 1778 | 21st " " |
| James Bruyn, | " | Prisoner, | New York, | 6th Oct., 1777 | 21st " " |
| Peter Regnier, | " | Sub-Inspector, | Present, | | 21st " " |
| Robert Cochran, | Major, | Command, | Superintends Albany G. Hospital, | | 21st " " |
| Nichs Fish, | " | Brigde Inspector, | Present, | 6th Oct., 1777 | 21st " " |
| Saml Logan, | " | Prisoner, | New York, | 28th June, 1778 | 21st " " |
| Joseph McCracken, | " | Wounded in the action of Monmouth | New Perth, | 1st Dec., 1778 | 29th May, 1778 |
| John Graham, | " | Command, | Fort Schuyler, | | |

*Return of the Absentees of the 5th New York Regiment, commanded by Lieut.-Col.* BRUYN, *Feb. 18th*, 1780.

[Mil. Ret. 29: 475.]

| NAMES. | Places where absent. | Causes of absence. | Length of absence. | Expiration of furlow. | Nature of Command. |
|---|---|---|---|---|---|
| LIGHT COMPANY. | | | | | |
| Sergt Schoonmaker, | Esopus, | Furlow, | Jany 20th, '80 | March 1st, '80 | |
| du. Chamberlain, | N. Partners, | Ditto | Decr 22d, '79 | Feb. 15, '80 | |
| Samuel Combs, | Livingn Manor, | Ditto | " 19, '79 | April 1, '80 | |
| Sebry Fish, | Fishkill, | Ditto | " 19, '79 | Feb. 15, '80 | Returned. |
| Joshua Griffin, | Ditto | Ditto | " 19, '79 | " 15, '80 | ditto |
| Garret Van Hooser, | Ditto | Ditto | Jany 15, '80 | March 1, '80 | ditto |
| John Peck, | New Marlborh, | Ditto | " 11, '80 | " 1, '80 | |
| Holms Austin, | Salem, | Ditto | Decr 30, '79 | Feb. 15, '80 | |
| John Nichols, | Ditto | Ditto | " 31, '79 | " 15, '80 | Returned. |
| Vulker Dow, | Sunberry, | Sick, | Septr 8, '79 | | |
| CAPT. ROSEKRANNS. | | | | | |
| Robert Waddel, | Poughkeeps, | Ditto | Novr, '79 | | |
| Geo. Tenegar, | Ditto | Ditto | Octr 20, '79 | | |
| Stephen Slick, | Fredk Burgh, | Ditto | June, '78 | | |
| William Frost, | Ditto | Ditto | Jany, '78 | | Discharged Feby 5th. |
| John Tee, | New Burgh, | Command, | June, '78 | | Sent by Capt. Rosekrans. The command unknown by the sergt commanding the company |
| Henry Geraldman, | Ditto | Ditto | Jany, '79 | | |
| Kenner Newcomb, | Poughkeepsie, | Ditto | Octr 20, '79 | | Walter to Coll Dubois. |
| John Delamarter | Fishkill, | Ditto | " 26, '79 | | ditto Captain Rosekrans. |
| Josia Ward, | New Burgh, | Ditto | July, '78 | | Sent by Captain Rosekrans. The command unknown by the sergt commanding the company. |
| Samuel Davis, | Walkill, | furlow, | Jany 1, '80 | Febr 1, '80 | Returned. |
| William Never, | Ditto | Ditto | " 15, '80 | " 15, '80 | |
| Mathw Vn Gelder, | Tock Conick, | Ditto | " 24, '80 | March 1, '80 | |
| Stephen Wheeler, | N. Partners, | Ditto | " 26, '80 | " 1, '80 | |
| John Lounsberry, | Warwick, | Ditto | " 26, '80 | " 1, '80 | Returned. |
| John Suthard, | Fishkill, | Ditto | " 15, '80 | April 1, '80 | In Captain Johnson's Muster Roll. |

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*Return of the Absentees of the 5th New York Regiment*—(Continued).

| NAMES. | Places where absent. | Causes of absence. | Length of absence. | Expiration of furlow. | Nature of Command. |
|---|---|---|---|---|---|
| Caleb Glean, | N. Partners, | Ditto | Decr 24, '79 | Febr 1, '80 | |
| George Robinson, | Poughkeepsie, | Ditto | Janr 28, '80 | March 1, '80 | Returned. |
| COLONEL'S COMPANY. | | | | | |
| Sergt Major Ferdon, | Fishkill, | Ditto | Janr 1, '80 | April 1, '80 | |
| Fife do Godwin, | Great Falls, | Ditto | " 20, '80 | March 20, '80 | |
| Fifer Parker, | Nine Partners, | Ditto | " 8, '80 | Feb. 20, '80 | |
| John Talliday, | Ditto | Ditto | " 8, '80 | Janr 20, '80 | |
| Silas Horton, | Ditto | Ditto | " 10, '80 | Febr. 8, '80 | |
| Joseph Vincent, | Albany, | Sick, | Novr 11, '79 | | |
| John Steel, | Haverstraw, | furlow, | Feb. 15, '80 | April 1, '80 | |
| Andw Pheroe, | Ponghkeepsie or Esopus Goal, for desertion. | | | | |
| CAPT. GODWIN'S. | | | | | |
| Serj. Rose, | Mama Cotton, | furlow, | Decr 20, '79 | Janr 10, '80 | Returned. |
| do Morgan, | Salem, | Ditto | Janr 20, '80 | March 1, '80 | |
| Jas Terwilliger, | Mama Cotton, | Ditto | Novr 25, '79 | Decr 4, '79 | |
| John Nichols, | Salem, | Ditto | Janr 10, '80 | Feb. 1, '80 | No such man in this Roll. |
| Michl Burges, | N. Milford, | Ditto | " 1, '80 | March 1, '80 | |
| John Christy, | Fishkill, | Ditto | " 1, '80 | " 1, '80 | |
| Abner Smith, | Cortlandt Manor, | Ditto | " 20, '80 | April 1, '80 | |
| Peter Holms, | Ditto | Ditto | Decr 15, '79 | Janr 15, '80 | |
| Richard Stephens, | Albany, | Command, | Sepr 9, '79 | | Attendant General Hospital. |
| D. Godwin, Drumr, | Great Falls, | furlow, | Jan. 20, '80 | March 20, '80 | |
| MAJOR'S COMPANY. | | | | | |
| Bethuel Bancker, | N. Partners, | furlow, | Janr 6, '80 | Feb. 4, '80 | |
| Richard Dodge, Fifer, | Poughkeepsie, | Ditto | June 6, '79 | | Furloughed by Capt. Rosekrans. Time unknown. |
| Jacob Eakly, | Fred'k Burgh, | Ditto | Decr 29, '79 | March 1, '80 | |
| Jacob Wilber, | N. Partners, | Ditto | " 19, '79 | " 1, '80 | |
| Ichabod Wilber, | Ditto | Ditto | " 14, '79 | " 1, '80 | |
| Thomas Palmerton, | Ditto | Ditto | Janr 1, '80 | " 1, '80 | |
| John Bancker, | Ditto | Ditto | " 4, '80 | Feb. 4, '80 | |
| Daniel Loden, | Salem, | Ditto | Dec. 29, '79 | " 15, '80 | Returned. |
| Elijah Stanberry, | N. Partners, | Ditto | Janr 1, '80 | April 1, '80 | |
| Peter Vermilyea, | Fred'k Burgh, | Ditto | Jan. 1, '60 | " 1, '80 | |
| Jona Oakley, | Sunberry, | Sick, | Sep'r 6, '79 | | |
| Griffin Jones, Drumr, | N. Hackinsack, | Ditto | Nov. 14, '79 | | |
| Christa Hasty, | Albany, | Ditto | October, '79 | | |
| Jona Rose, | Ditto | Ditto | June, '79 | | Returned. |
| CAPTAIN BEVIER'S. | | | | | |
| Jesse Smith, | Fred'k Burgh, | furlow, | Dec. 18, '79 | Feb. 1, '80 | |
| John Slouter, | Marble Town, | Ditto | Jan. 18, '80 | April 1, '80 | |
| John Chesley, | Claverack, | Ditto | Decr 20, '79 | " 1, '80 | |
| Joseph Mitchell, | N. Partners, | Ditto | " 30, '79 | " 1, '80 | |
| Sam'l Townsend, | Fred'k Burgh, | Ditto | " 30, '79 | " 1, '80 | |
| Solom'n Talliday, | N. Partners, | Ditto | Jan'y 19, '80 | " 1, '80 | |
| Lem'l Bartlet, | Salem, | Ditto | " 17, '80 | " 1, '80 | |
| Seth Spralg, | Fred'k Burgh, | Ditto | Dec'r 26, '79 | " 1, '80 | |
| Mar'n Clawater, | Marble Town, | Ditto | Jan'y 21, '80 | March 1, '80 | Returned. |
| Jer'h Cheshire, | N. Burgh, | Ditto | Feb. 6, '80 | " 1, '80 | |
| And'w Kiezer, | Marble Town, | Ditto | " 16, '80 | April 1, '80 | |
| Asa Crawford, | Crum pond, | Ditto | Dec'r 30, '79 | Feb. 1, '80 | |
| Daniel Flanigan, | Albany, | Sick, | | | Time unknown. |
| Henry Hombeck, | Newburgh, | Command, | Dec. 19, '79 | | Sent home for a few days, not yet returned. |
| LIEUT.-COLONEL'S. | | | | | |
| Serg't Robinson, | Esopus, | furlow, | Feb. 1, '80 | March 1, '80 | |
| John Ellison, | Haverstraw, | Ditto | " 13, '80 | " 15, '80 | |
| John Ellison, Junr, | Ditto | Ditto | " 5, '80 | Feb. 25, '80 | |
| John Secor, | Ditto | Ditto | " 13, '80 | March 25, '80 | |
| John Rhodes, | N. Marlburgh, | Ditto | Jan. 1, '80 | " 15, '80 | |
| Scot Travis, | Ditto | Ditto | " 1, '80 | " 15, '80 | |
| Amos Sniffin, | Haverstraw, | Ditto | Feb. 16, '80 | April 1, '80 | |
| George Marks, | Ditto | Ditto | " 16, '80 | March 15, '80 | |
| Peter Hopper, | Ditto | Ditto | " 13, '80 | " 15, '80 | |
| Rud Cooper, | Warwick, | Ditto | Jan. 22, '80 | " 1, '80 | Returned. |
| Joseph Jones, | Haverstraw, | Ditto | " 10, '80 | " 1, '80 | |
| John Wilson, | N. Marlburgh, | Sick, | Oct. 10, '79 | | |
| Drum'r Allen, | Ditto | furlow, | Feb. 1, '80 | March 1, '80 | |
| Serg't Humphrey, | Walkill, | Ditto | Jan. 1, '80 | April 1, '80 | |
| " Lawrence, | Newburgh, | Ditto | " 27, '80 | March 27, '80 | Returned. |
| Moses Tee, | Ditto | Ditto | Feb. 1, '80 | " 1, '80 | |
| John Hersam, | Smithfield Pens'a, | Ditto | " 10, '80 | Feb. 22, '80 | |
| John Hains, | N. Marlborough, | Ditto | Jan. 1, '80 | April 1, '80 | |
| John Fluno, | Albany, | Ditto | " 1, '80 | " 1, '80 | |
| Eben'r Cumins, | Stephen Town, | Ditto | " 27, '80 | Feb. 27, '80 | |
| James Slaven, | Albany, | Lame, | Dec. 2, '78 | | |
| Joseph Vanote, | Smith's Clove, | do | " 16, '77 | | |
| CAPT. STUART'S. | | | | | |
| James Ruler, | Goshen, | furlow, | Jan. 27, '80 | Feb. 27, '80 | |
| John Albright, | Clark's Town, | Ditto | Feb. 15, '80 | March 15, '80 | Returned. |
| Conrade Conite, | Ramipan, | Ditto | Jan. 25, '80 | " 4, '80 | |
| John Lovet, | New Burgh, | Ditto | " 21, '80 | " 1, '80 | Returned. |
| William Carrigan, | Fishkill, | Ditto | " 12, '80 | " 1, '80 | |
| Jas Humphrey, | Poughkeepsie, | Command, | June 17, '77 | | Gov'r Clinton's servant. |
| George Hosbrook, | Smith's Clove, | furlow, | Feb, 27, '80 | April 1, '60 | |

JAMES STEWART, *Capt. Commanding.*



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*Return of the Absentees of the 5th New York Regiment* — (Continued).

| | | |
|---|---|---|
| ABSENT OFFICERS: | Capt. Rosekrans, Capt. Bevier, | Sick. |
| | Lieut. English. | |
| | Lieut. Dodge. | Returned Feb. 26. |
| Prince Johnson, Nine Partners, | Major's Company, by Capt. Stewart, till March 18. | |
| Abraham Delancey, | Captain Godwin's Company, " " | |
| Jeremiah Simkins, | " " " " | Feb. 26. |
| James Ransom, Fifer, | " Johnson's " | furlowed Dec. 29, by Coll. Cortland. |
| Cornelius V. De Mark, | Coll. Company, furlowed by Capt. Stewart till April 1st. | |
| John Harman, | " " " " | March 5th. |
| Gideon Goodspeed, | Capt. Bevier's. | Returned Deserted, 1st Janr. |
| William Cooke, | " " | |
| Samuel Smith, | " " | Returned Deserted, 1st Febr. |

## *Proclamation.*

[N. Y. Col. MSS 102: 12.]

By his Excellency *James Robertson* Esquire, Captain General and Governor in Chief in and over the Province of *New York*, and the Territories depending thereon in America, Chancellor and Vice Admiral of the same, and Major General of his Majesty's Forces.

A Proclamation.

The King having been graciously pleased to honor me with the care of a Province, where, in a long Residence, I have contracted an Esteem for some, and an Affection for many of its Inhabitants, I proceed with great Pleasure to announce his benevolent Intentions.

It is his Majesty's wish by the revival of the Civil Authority, to prove to all the Colonies and Provinces, that it is not his Design to govern America by Military Law, but that they are to enjoy all the benefits of local Legislation and their former Constitution.

To this End I have brought out the Royal Appointments for forming the Council, and supplying the places of Lieutenant Governor and Chief Justice. And in Concurrence with the Commander in Chief of the British Forces, who is also his Majesty's Commissioner for restoring Peace to the Colonies, I shall, as speedily as the public Exigencies will permit, Give Order for opening the Courts of Judicature, and convening the Assembly, and in general proceed to the Execution of the Powers reposed in me, for the free Course and complete Re-Establishment, both of the Legislative and Executive Authority.

I take great Satisfaction in the Anticipation of that happy Day, when Relations, Friends and Fellow-Citizens, having dismissed their gloomy Apprehensions, Shall re-embrace each other, and return to the Offices, Pleasures and Employments of Peace. Your Country with your Antient Priviledges, will then participate in an extensive Commerce, and be exempted from all Taxations not imposed by Yourselves.

Until I meet you regularly in General Assembly for the Restoration of mutual Confidence, and the Remedying of private as well as public Evils I pledge myself to Men of all Classes, in every part of the Province, that it is the compassionate Desire of your Sovereign and of the Parent Country to unite in Affection as in Interest, with the Colonies planted by her Hand, and which have long flourished under her Care. that the Suggestions of her Intention to impair their Rights and Priviledges, are the Arts of Malice and Faction, and that every Insinuation made by the domestic Enemies of Great Britain, of her being disposed to abandon the Provinces to internal Anarchy, and the Mischiefs of their jarring Interests and Claims, or to the fraudulent and ambitious views of foreign, popish and arbitrary Powers (of whom your Fathers had a wise and virtuous Jealousy) is equally false and malicious.

Happy herself, under a Constitution which is the Envy and Admiration of surrounding nations, She wishes to include in one comprehensive System of Felicity, all the Branches of a Stock, intimately connected by the Ties of Language, Manners, Laws, Customs, Habits, Interests, Religion and Blood.

I lament with the ingenuous Thousands of America who are irreconcileable to the unnatural Separation, so inauspicious to yourselves, as well as all the Rest of your Fellow Subjects in the other Quarters of the world, that the *Few* who have found Means to acquire a Sway in the Management of your Affairs, have been

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averse to every uniting System of Policy, and studiously shunned the Paths to Harmony and Peace.

But it is not my Aim to call them to a hopeless and mortifying Review of their Conduct. Can they want Evidence at this Day of the Detestation of their Measures, by an increasing Majority of their own Countrymen? And having every Thing to fear from their exhausted Patience, I warn them to desist from any future Attempts to restrain and seduce the Loyalty of others, and wisely to provide against their Resentment, by signalizing themselves, as heretofore in exacting, so now in closing the Scene of their intollerable Calamities. And I hereby give the strongest Assurances of effectual Countenance, Protection and Support to all Persons who avail themselves of the Proclamation issued by his Excellency Sir Henry Clinton, dated at James Island the third Day of March.

Less inclined to reproach than to conciliate, to aggravate than to forget even the Guilt of those, who, privy to the repeated Calls of Great Britain to Friendship, upon Terms adequate to the Desire and Expectation of their Constituents, yet nevertheless forbore to reveal them that they might with the greater Ease, press the Antient Enmity of foreign Foes, to the Aid of their own Ambition and Averice, I exhort them to seek an Early Refuge in the abundant Clemency of the Crown from the Perils to which they have exposed themselves, by Measures fraudulently concerted and tyrannically inforced, and affording by the complicated Miseries they have brought upon their Country, and the mighty Ruin still impending irresistable Evidence of the Folly and Malignancy of the Councils by which its affairs have been conducted.

Towards redressing the Disorders, arising from the Loss or want of Charters, I recommend it to all concerned, to apply without Delay in the ordinary Course for Charters, which shall be granted as soon as Civil Authority takes Place.

As to the Public Books of Record, so important to your Titles and Estates in all Parts of the Colony and formerly lodged in the Secretaries Office, I understand that they were separated from the Rest by the provident Circumspection of my Predecessor, whose Merits are above my applause and have often had yours; and having been afterwards sent Home for safe Custody, you may rely upon their being carefully preserved, and duly returned as soon as the Common Tranquility is restored.

I now call upon every Individual in the Colony to shew his Allegiance, Fidelity and Patriotism, by affording his Assistance towards accomplishing the Kings most gracious Design of restoring the Blessings of Peace and Good Government; and they who shall most distinguish themselves by their laudable Efforts for those good Purposes will most assuredly best recommend themselves to the Royal Approbation and Favour.

Given under my Hand and the Great Seal of the Province of New York, in the City of New York, the Fifteenth Day of April 1780, in the Twentieth year of his Majesty's Reign. JAMES ROBERTSON.

By His Excellencys Command,

SAM BAYARD, Junr D. Secry. GOD SAVE THE KING.

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*Application of Messrs. Harrison and Auchmuty to be Notaries.*

[N. Y. Col. MSS. 102: 13.]

NEW YORK, 10 May, 1780.

SIR: We did ourselves the Honor, this Morning, to call at your House to request from your Excellency a Commission to us, jointly & severally, to execute the office of Notaries Public. We flatter ourselves that your Excellency can have no Objection to this Request; & we beg Leave to assure you that it shall be our Study to make a proper Use of any Powers with which your Excellency may entrust us.

At the same Time we beg Leave to request a regular Licence from your Excellency for Mr Auchmuty, to practice in the several courts within the Province, similar to those usually granted in those cases.

In Confidence of your Excellency's Indulgence we remain,

Sir, Your most obedient & most humble Servts

RICH. HARRISON,
ROBERT N. AUCHMUTY.

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*Muster Roll of Lieutenant-Colonel Cornelius Van Dyck's Company in the first Battalion of New York Forces in the Service of the United States, Commanded by Colonel Goose Van Schaik. For the Months of March, April, May & June,* 1780.

[Mil. Ret. 29: 282.]

*Commissioned.* { 1776. Novr 21st, Lieut.-Colonel Cornelius Van Dyck, on Furlongh the 8 of July, 1780.
March 1st, Lieut. Peter B. Tearse.
Novr 21st, 2nd Lieut. Bar T. V Valkenburgh, doing Ensign's Duty.

| Appointed. | | For what term. | Remarks. |
|---|---|---|---|
| | *Serjeants.* | | |
| | Edward Foy. | | |
| | Florence Meronie, | ..... | On command at Saratoga. |
| June 16th, 1780, | William Orr, | ..... | Promoted out of Captain Wendell's Company. |
| | Samuel Handerson, | ..... | Reduced to the ranks, March 22d, 1780. |
| | *Corporals.* | | |
| | Phillip Baddenger. | | |
| | William Lynch. | | |
| May 10, 1780, | Mathew Adams, | ..... | Draughted out of Late Captain Copp's Company. |
| March 18th, 1777, | Abraham Johnson, | Three years, | Discharged March 18th, 1780. |
| | *Drum.* | | |
| | Vinant Mitchell, | ..... | Desarted 22d May, 1780. |
| | *Fife.* | | |
| | Elisha Parker. | | |
| | *Privates.* | | |
| Inlisted, | James Adams. | | |
| | James Cotter. | | |
| | Daniel Camron. | | |
| | Adam Copornall. | | |
| | John Craig, | ..... | Sick in Hospital at Albany. |
| | Lewis Dubois. | | |
| | Benjamin Ellis. | | |
| | Martin Flick. | | |
| | Samuel Henderson. | | |
| | Jacob Hyer. | | |
| | John Haycock. | | |
| | James Jones. | | |
| | Daniel Lee. | | |
| | John Lewis. | | |
| | Alexander McMaster. | | |
| | Paul McFall. | | |
| | William Oliphent. | | |
| | Charles Richee. | | |
| | Phillip Rosman. | | |
| | Robert Sanders. | | |
| | George Stock. | | |
| | Adam Weaver. | | |
| | Michael Witherick. | | |
| | Jacob Walter. | | |
| | Martin Walter. | | |
| | John Hale, | ..... | Taken by the enemy Mar. 20th, 1777. |
| | Christopher Chatnel, | | do do do |
| | Adam Stering, | | do do do |
| | Charles Bainbridge, | | do do August 3d, 1777. |
| May 1st, 1777, | John Connely, | | do do July 23d, 1779. Time expired. |
| | Jeremiah Frazer, | Three years, | Taken by the enemy July 23d, 1779. |
| | Peter Winn, | | do do June 4th, 1779. Time expired. |
| March 10, 1777, | William Turnbull, | Three years, | Disarted 1st March, 1780. |
| March 21st, 1780, | John Johnson, | During war, | Disarted 22d March, 1780. |
| March 11th, 1777, | Zedoch Scrivoner, | Three years, | Discharged 11th March, 1780. |
| March 11, 1777. | William West, | do | do 11th do |
| March 12, 1777, | George Groundhart, | do | do 12th do |
| March 14, 1777, | John Kelsh, | do | do 14th do |
| March 18, 1777, | Siles Green, | do | do 18th do |
| March 18, 1777, | Joseph Salsbery, | do | do 18th do |

Fort Schuyler, 10th July, 1780. Mustered then Lieut.-Coln Cornelius Van Dyck's Company as Specified in the above Roll.

ABM HARDENBERGH, *A. D. M. Mastr.*

| | Lieutenant-Colonel. | Lieutenant. | Ensign. | PROOF OF THE AFFECTIVES. | | | | Privates. | Total. |
|---|---|---|---|---|---|---|---|---|---|
| | | | | Serjeants. | Corporals. | Drum. | Fife. | | |
| Present, | .. | 1 | 1 | 2 | 3 | ... | 1 | 24 | 32 |
| Absent, | 1 | ... | ... | 1 | ... | ... | ... | 6 | 8 |
| Total, | 1 | 1 | 1 | 3 | 3 | ... | 1 | 30 | 40 |

I do swear that the within Muster Roll is a true state of the Company without Fraud to the United States or to any Individual according to my best knowledge.

PETER B. TEARSE, *Lieut.*
BAR. J. V. VALKENBURGH, *Lieut.*

Sworn before me in Garrison, at Fort Schuyler, July 10, 1780. }

JNO GRAHAM, *Maj. Commanding.*

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*Muster Roll of Major John Graham's Company in the first New York Regiment in the service of the United States, Commanded by Colonel Goose Van Schaick, for the Months of March, April, May and June,* 1780.

[Mil. Ret. 29: 286.]

*Commissioned* — 1779, March 26th, Major John Graham.
1776, March 1st, Lieutenant Barent Staates Salisbury.
1776, Novr 21, Lieutenant Christopahar Muller, acting as Ensign. Resigned.

| Appointed. | | For what term. | Remarks. |
|---|---|---|---|
| | *Serjeants.* | | |
| | Michael Flemming. | | |
| | William Rynex, | ..... | On Command, Albany. |
| | Gilbert Bogart, | ..... | Takin Prisoner by the Enemy, June 4, 1779. |
| | *Corporals.* | | |
| | John Brumley. | | |
| | Henry Daniels. | | |
| | John Haukey. | | |
| | *Drum.* | | |
| | John Commins. | | |
| | *Fife.* | | |
| | Matthew Wayland. | | |
| | *Privates.* | | |
| | John Barrett. | | |
| | John Bourk, | ..... | On command at Albany. |
| | William Brumley. | | |
| | Christian Charles. | | |
| | Cornelis Commins. | | |
| | Joseph Carman. | | |
| | William Elviston. | | |
| | John Eckler. | | |
| | Thomis Hynes, | ..... | On Command, Saratoga. |
| | Henry Lewis, | ..... | Sick in General Hospital, Albany. |
| | John Mills. | | |
| | Bernard McLaughlin. | | |
| | Ephrim Mash. | | |
| | Michael Nebby. | | |
| | Garrett Neffey. | | |
| | James Pirkins. | | |
| | Jacob Roberts. | | |
| | John Staggs. | | |
| | Gasper Salisbury. | | |
| | Joseph Van Netin. | | |
| | Christian Van Vast. | | |
| | Danniel Wallace. | | |
| | Thomis Worder. | | |
| | Nicholas Wesell. | | |
| | John Baptist, | ..... | Taken Prisoner by the Enemy, July 28th, 1779. |
| | Thomas Cooper, | ..... | Ditto |
| | John Van Snell, | ..... | Ditto |
| | Samuel Garrett, | ..... | Supposed Dead or Deserted. |
| | Christian Warmoth, | ..... | Discharged 6th May, 1780. |
| | Nicholas Killer, | ..... | Do 12th March, 1780. |
| | Archabald Black, | ..... | Dead, 1st June, 1780. |

Fort Schuyler, July 10th, 1780.—Mustered then Major John Graham's Company, as specified in the above Rolls.
ABM HARDENBERGH, *A. D. M. Mastr.*

| | Captain. | Lieutenants. | Ensigns. | PROOF OF THE EFFECTIVES. | | | | Privates. | Total. |
|---|---|---|---|---|---|---|---|---|---|
| | | | | Serjeants. | Corporals. | Drum. | Fifs. | | |
| Present, ... | 1 | 1 | ..... | 1 | 3 | 1 | 1 | 21 | 29 |
| Absent, ... | ..... | ..... | ..... | 2 | ..... | ..... | ..... | 6 | 8 |
| Total, ..... | 1 | 1 | ..... | 3 | 3 | 1 | 1 | 27 | 37 |

We do swear that the within Muster Roll is a true state of the Company, without Fraud to the United States or to any Individual, according to the best of our knowledge.

B. S. SALISBURY, *Lieut.*

Sworn before me in Garrison, Fort Schuyler, 12th July, 1780.
JNO. GRAHAM, *Majr.*

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*Muster Roll of Captain Charles Parsons' Company, in the First Battalion of New York Forces in the Service of the United States, Commanded by Colonel Goose Van Schaick, for the months of March, April, May and June,* 1780.

[Mil. Ret. 29: 274.]

*Commissioned*—{1779, March 26, Captain Charles Parsons.
1776, March 1, Lieutenant Adiel Sherwood. Resigned May 16, 1780.
1776, November 21, Ensign Jacob I. Klock. Do Do

| Appointed. | | For what time. | Remarks. |
|---|---|---|---|
| | *Serjeants.* | | |
| | John Ernest Pier. | | |
| | Robert Smith. | | |
| | Hugh Lackey. | | |
| | *Corporals.* | | |
| | John Helmer, | ..... | Taken Prisoner by ye Enemy, 22d Octr, 1779. |
| | Philip Gray, | ..... | Do Do 23d July, 1779. |
| June 1, 1780, ..... | John Rear, | ..... | Deserted 22d May, 1780. |
| | Patrick O'Donaghy. | | |
| | *Drum.* | | |
| | Thomas Kirby, | ..... | On Comd Albany. |
| | *Fife.* | | |
| | John Hoppole, | ..... | Deserted 22d May, 1780. |
| | *Privates.* | | |
| Inlisted, ..... | John Armstrong. | | |
| | John Christian Bile. | | |
| | Mark Crantz. | | |
| | Adam Koontz. | | |
| | John Dorn. | | |
| | Moses Darling. | | |
| | Matthias De Camp. | | |
| | John Foster. | | |
| Feb. 22, 1778, ..... | Philip Fox, | 3 years. | |
| | John Hurtigh. | | |
| | James Hall, | ..... | On Comd Saratoga. |
| | Cornelius Hendrickson. | | |
| | Andrew Hoffman. | | |
| | John Huff. | | |
| | George Kirk. | | |
| | Patrick O'Donaghy, | ..... | Promoted Corpl, June 1, 1780. |
| | Myndert Onderkirk. | | |
| | James Rankins. | | |
| | Peter Saltsman. | | |
| | Martin Van Slyck. | | |
| | Peter Vradenburgh. | | |
| | Christian Wallsier. | | |
| | John Ward, | ..... | On Comd, Saratoga. |
| | George Witherick. | | |
| | John Bishop, | ..... | Taken Prisoner 4th June, 1779. |
| | John House, | ..... | Do 23d July, 1779. |
| | Garret Marselus, | ..... | Do Do |
| | George Murray, | ..... | Do Do |
| | John Mullen | ..... | Do Do |
| | Henry Seymour, | ..... | Do 28th May, 1779. |
| | Christian Tipperwine, | ..... | Do 4th June, 1779. |
| | George Friensiwer, | ..... | Deserted 22d May, 1780. |
| | Augustus Felty, | ..... | Do Do |
| | Peter Sangh, | ..... | Do Do |
| March 12, 1777 ... | Jacob Clements, | 3 years. | Discharged 12th March, 1780. |
| | Garlogh Stall, | ..... | Died 4th February, 1780. |

Fort Schuyler, July 10, 1780.—Then Mustered Captain Charles Parson's Company, as specified in the above Roll.

ABM HARDENBERGH, *A. D. M. Mastr.*

| | Captain. | Lieutenants. | PROOF OF THE EFFECTIVES. | | | | Fife. | Privates. |
|---|---|---|---|---|---|---|---|---|
| | | | Ensigns. | Serjeants. | Corporals. | Drum. | | |
| Present, ..... | 1 | ..... | ..... | 3 | 1 | ..... | ..... | 21 |
| Absent, ..... | ..... | ..... | ..... | ..... | 2 | 1 | ..... | 9 |
| Total, ..... | 1 | ..... | ..... | 3 | 3 | 1 | ..... | 30 |

I do swear that the within Muster Roll is a true Statement of the Company without Fraud to the United States or to any Individual, according to my best knowledge.

CHAS. PARSONS, *Capt.*

Sworn before me, in Garrison at Fort Schuyler, July 10, 1780.

JNO. GRAHAM, *Maj. Commanding.*

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*Muster Roll of Captain Nicholas Van Renselaer's Company in the first Battalion New York Forces, in the Service of the United States, Commanded by Colonel Goose Van Schaick, for the Months of March, April, May and June,* 1780.

[Mil. Ret. 29: 292.]

*Commissioned*— 1778, September 1st, Captain Nicholas Van Renselaer. On furlough, Albany, by Colonel Van Dyck
1776, November 21st, Lieutenant Abraham Hardenbergh.
1776, November 21st, Ensign Wilhelmus Ryckman.

| Appointed. | | For what term. | Remarks. |
|---|---|---|---|
| | *Serjeants.* | | |
| | John Dunlap. | | |
| | William Murray. | | |
| | Nicholas Sliter. | | |
| | *Corporals.* | | |
| | Robert Casey. | | |
| | Moses Stiles. | | |
| | Jonas Sliter. | | |
| | *Drum.* | | |
| | Thomas O'Brian. | | |
| | *Fife.* | | |
| | Thomas Rankins. | | |
| | *Privates.* | | |
| Inlisted, ..... | Samuel Anderson. | | |
| | John Boom. | | |
| 1779, Janr 10, ..... | Nicholas Boom, ..... | Three years, | Sick in General Hospital, Albany. |
| | Daniel Blue. | | |
| | James Bruse, ..... | ..... | Prisoner in Albany Goal. |
| | John Cookley. | | |
| | Benjamin Clough. | | |
| | John Catch. | | |
| | Leonard Chambers, ..... | ..... | On command, Saratoga. |
| | Abraham Dingman. | | |
| | John Henry Deverance. | | |
| | Frederick Hilts. | | |
| | David Hodge. | | |
| | Arthur Keef. | | |
| | Ezekiel Leathers. | | |
| | Joseph Lewis ..... | ..... | On furlough by Col. V. Dyck, 24 May, 1780. |
| | Alexander Mills. | | |
| | John McCormic. | | |
| | Richard Moore. | | |
| | John Moore. | | |
| | John O'Brian. | | |
| | Daniel Ogdon. | | |
| | Martin Slump. | | |
| | John Stone, ..... | ..... | On command, Saratoga. |
| | James Thompson. | | |
| | Albert Van Orden. | | |
| | William Valentine. | | |
| | Samuel Wheelar. | | |
| | Walter Whealan. | | |
| | Peter Woodcock. | | |
| | Christopher Zyranius. | | |
| | Hendrick Cornelison, ..... | ..... | Taken Prisoner by the Enemy, July 23d, 1779. |
| | Henry Wheelar, ..... | ..... | ditto ditto |
| | Jacob Wormley, ..... | ..... | ditto ditto |
| | George Whishick, ..... | ..... | ditto ditto |
| | William Carr, ..... | Three years, | Discharged March 19th, 1780. |
| 1777, March 19th, . | Thomas Hayes, ..... | ..... | Killed 7th June, 1780. |

Fort Schuyler, July 10, 1780. Mustered then Captain Nicholas Van Renselaer's Company, as specified in the above Roll.

ABM HARDENBERGH, *A. D. M. Mastr.*

| | Captain. | Lieutenant. | Ensign. | PROOF OF THE EFFECTIVES. | | | | Privates. | Total. |
|---|---|---|---|---|---|---|---|---|---|
| | | | | Serjeants. | Corporals. | Drum. | Fife. | | |
| Present, ... | ..... | 1 | 1 | 3 | 3 | 1 | 1 | 26 | 36 |
| Absent, ..... | 1 | ..... | ..... | ..... | ..... | ..... | ..... | 9 | 10 |
| Total, ..... | 1 | 1 | 1 | 3 | 3 | 1 | 1 | 35 | 46 |

We do swear that the within Muster Roll is a true state of the Company, without fraud to the United States or to any individual, according to the best of our knowledge.

ABM HARDENBERGH, *Lieut.*
WILHS RYCKMAN, *Ensign.*

Sworn before me in Garrison, Fort Schuyler, July 12th, 1780.
JNO GRAHAM, *Maj.*

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*Muster Roll of Captain William Brown's Company in the first Regiment of Artillery, in the service of the United States, commanded by Colonel Charles Harrison, for the Months of March, April, May and June,* 1780.

[Mil. Ret. 29: 257.]

*Commissioned.* William Brown, Captain.
James Smith, Captain-Lieutenant.
James McFadan, First Lieutenant, on furlough by Lieut.-Col. Van Dyck, April 13, 1780.
John Carson, Second Lieutenant.

Thomas Stanley, Cadet.

John Stanley, Volunteer.

*Sergeants:*

John Staples, Nov. 22d, 1777.
Alexr A. Mackay, May 9, 1780.
Henry Slack.
Thomas Barber.
Charles Steward.
Patrick Cochran, Nov. 22d, 1777.
James Adams.

*Corporals:*

Arthur Carnes.
Tamolin Spencer.
John Radcliff.
Thomas Fanning.
Michael Hawke.
Lemuel J. Nelme, May 9, 1780.
Matthew Adams.

*Bombardiers:*

Thomas Condran.
Michael O'Bryan.
William Jones.
Philip O'Bryan.
William Haney, Nov. 22d, 1777.

*Gunners:*

John Connelly, Nov. 22d, 1777.
John Vaughan.
John Slack.
James Welch.
James Whaling.
William Connelly.

*Drum:*

James Brooks.

*Fife:*

John Carroll.

*Matrosses:*

Isaac Burton.
George Baker.
Ignatius Butler.
Robert Campbell, Nov. 22d, 1777.
James Compton, do
James Cole, do
Hugh Champlin.
John Evans.
John Fitzgerald, Sec'r.
John Fitzgerald, Jun'r.
Mark Goldsbury.
Ignatius Griffin, Nov. 22d, 1777.
Jonathan Gill.
Michael Hughes.
William Hickinson, Nov. 22d, 1777.
Edward Hennissy, do
Henry Higgs.
Daniel Havey.
William Haney, Nov. 22d, 1777.
Francis Johnson.
Peter Lawrence.
Joshua Lovely.
Mays Nevin.
Benjamin Patmore.
Francis Popham.
Samuel Popham, Nov. 22d, 1777.
Joseph Poague.
Peter Robinson.
Thomas Smith.
Reuben Scott.
John Saunders, Nov. 22d, 1777.
James Taylor, do
David Young.
John Steers.
Patrick Coursey.
Henry Magan.

Fort Schuyler, July 10, 1780. Mustered then Captain William Brown's Company as specified in the above Roll.
ABRm HARDENBERGH, *A. M. Mastr*

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*Return of the five Continental Battalions raised under the Direction of this State, and of those Officers and Soldiers serving in other Corps, who are credited to the State as Part of its Proportion of the Continental Army, and are entitled to receive State supplies:*

[Assembly Pap. &c., 14: 442.]

Title of Officers & Regiments.

Major General McDougall,
Brigadier General Clinton,
Hospital Surgeons, ——

State Regiments.

First—Col. Van Schaick,
Second—Col. Cortlandt,
Third—Col. Gansevoort,
Fourth—Lt.-Col. Commandt Weissenfels,
Fifth— do do Willett.

Additional Corps of Infantry.

Col. Spencer,
Hazen,
Webb,
Col. Livingston,
Warner,
Major Gibbs.

Artillery.

Col. Lamb,
Col. Crane.

Cavalry.

Col. Sheldon,
Col. Moylan,
Major Lee.

NICHS FISH, *Major 2nd State Regiment and Inspector of the Line.*

POUGHKEEPSIE, Sepr 18, 1780.

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*Muster Roll of Captain John Kasselman's Company of Rangers raised out of Col. Jacob Klock's Regiment of Tryon County Militia for the Defence of the Frontier of said County in the year* 1780.

[Assembly Pap. &c., 14: 100.]

Names of Officers, Non-Commissioned Officers and Privates.

| | | | | | |
|---|---|---|---|---|---|
| John Kasselman, Captain,..... | May 9th | Jacob Dusler, | Private, | May 14th |
| Adam Empie, Lieutenant,..... | do | Leonard Kretzer, | do | do |
| George Gitman, Ensign,..... | do | Christian Walter, | do | do |
| Peter House, Sergeant,..... | do | Coenrad Ettigh, | do | do 16th |
| John Backer, do ..... | do | Henry Smith, | do | do 12th |
| Jacob Fry, do ..... | do 15th | George Haynes, | do | do |
| Adolph Bickerd, do ..... | do 17th | John Shnell, | do | do 16th |
| Henry Kulman, Corporal,..... | do | Peter Gittman, | do | do 20th |
| Daniel Harth, do ..... | do 9th | Andrew Hortigh, | do | do 16th |
| Nicholas Strater, do ..... | do | John Van der Werke, | do | June 6th |
| John Kasselman, Jr., Private,. | do | William Smith, | do | do |
| John Empie, do . | do | Adam Walter, | do | July 5th |
| Christian Tillenbach, do . | do 14th | | | |

I certify that the above Muster Roll (to the day) is Just and true, to the Best of my Knowledge. JACOB KLOCK, *Col.*

[You must shew a law for the pay of this Company, or else I can't allow it.]

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*Petition for Exchange.*

[N. Y. Col. MSS., 102: 20, 21.]

To his Excellency George Clinton, Esquire, Governor of the State of New York, &c., &c., &c.

The Petition of Caleb Powell, Nathaniel Weeks, Abraham Jewel and Ezekiel Jewel, all now of Rumbout precinct in Dutchess County humbly Sheweth,

That your petitioners the said Powel, Weeks & Abm Jewel in behalf of themselves and with their respective families consisting of Children, not older than fourteen years, and Women; and also your petitioner Ezekiel Jewel a single person; Thus, agreeable to an act of the Legislature of this State, in such case made and provided, do hereby apply to your Excellency *as* prisoners of War, to be exchanged for any person or persons Subjects of this State prisoners of war with the Enemy.

These are therefore to request that your Excellency may certify your consent and approbation to your said Petitioners removal as prisoners of war within the Enemy's Lines, and your Petitioners as in duty bound shall pray.

NATHANIEL WEEKS,
CALEB POWELL,
ABRAM his O mark JEWEL,
EZEKIEL JEWELL.

Witness,
Teunis Tappen,
Samuel Smith.

Poughkeepsie, April 14th 1781.

I consent to the Exchange of the several Petitioners above named & have directed the Commissary of Prisoners of the State to Exchange them accordingly.

14th April, 1781. GEO. CLINTON.

Sir: I am informed that there is an act of the legislature, enabling your Excellency to Exchange persons Applying for that purpose, as prisoners of War, for the Subjects of this State prisoners of War with the Enemy. I do hereby Apply to your Excellency for that purpose, and beg you would be pleased to Grant me and my family may be Exchanged agreeable to that Act.

I am with the Greatest Respect Your Excellency's Most Obdt Servant,

Fredricksburgh, April 16th 1781. THOs MENZIES.

To His Excellcy George Clinton, Esqr Governor of the State of New York.



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I consent to the exchange of the above named Thomas Menzies & have directed the Commissary of Prisoners of this State to exchange him accordingly.
16th April, 1781. GEO. CLINTON.

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*Pass to Inhabitants of Long Island to remove from thence to Dutchess County.*
[N. Y. Col. MSS. 102: 22.]

By his Excellency, &c. May 4, 1781.

It being represented to me that several of the Subjects of this State Inhabitants of Suffolk County on Long Island who are well attached to the Cause of America are desirous of removing from thence to Dutchess County with their Families & Effects, Capt Norton is therefore authorized to give them every necessary assistance for this Purpose & they with their Families & Effects are to be permitted to pass accordingly. Provided always that no goods or Merchandize be brought off of Long Island under Sanction or pretext thereof. Given, &c.

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*Petition of Joseph Aplin, Attorney at Law.*
[N. Y. Col. MSS. 102: 22.]

[Filed May, 1781.]

To his Excellency James Robertson, Esquire, Captain General and Governor in Chief, in and over the Province of New-York, and the Territories depending thereon, in America, Chancellor and Vice Admiral of the same, and Lieutenant General of his Majesty's Forces, &c.

Joseph Aplin, now residing within the City of New-York, begs Leave to make known to your Excellency,

That he was formerly a Practitioner of Law in the Courts of Massachusets Bay, Connecticut, and Rhode Island, but after having suffered various Persecutions, on Account of his Loyalty, in the Rebel Colony of Rhode-Island, he withdrew himself from it in July last, and committed himself to the Protection of his Majesty's Garrison here.

That as his Property was soon after siezed by the Rebels, he has been able to derive no Subsistence from it; and to avoid the Consequences of such a Situation, he wishes to employ his professional Talents for his Relief and Support.

He, therefore, begs that your Excellency would be pleased to grant him a Licenec to appear and practice as a Proctor in the Court of Admiralty within this Province.

From the Character I have received of Mr Aplin's Loyalty and Abilities, I beg leave to recommend him as a Gentleman well qualified to practise as a Proctor in the Court of Admiralty. WM FRANKLIN,
New-York, May 4th 1781. *Gov^r of New-Jersey.*

As Mr. Aplin's Loyalty & Sufferings are well known, as well as his professional Character, I beg leave to recommend his request, to his Excellency General Robinson, as a point of Course to a Gentleman in his Situation.
May 4th 1781. DANL COXE.

Jamaica, May 12th 1781.

Sir: I beg leave to recommend Mr Joseph Aplin as a proper person to receive your Excellencys Licence to practice Law in the Supreme Court of Judicature, & am

Your Excellency's Most Obedient humble Servant,
His Excellcy Governor Robertson. GEO. D. LUDLOW.

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## *Census of Ulster County.*

[N. Y. Col. MSS. 102: 27.]

General List of all the White Inhabitants of Ulster County in the State of New York taken from the Returns of the Constables, in the Several Precincts in the said County, Pursuant to an Act of the Legislature of the said State entitled "An Act for taking the Number of White Inhabitants within this State." Passed the 20th March last.

| | Males under 16. | Males above 16 and under 60. | Males 60 and upwards. | Females under 16. | Females above 16. | Total. |
|---|---|---|---|---|---|---|
| Kingston, | 566 | 626 | 72 | 526 | 667 | 2,652 |
| Hurley, | 83 | 111 | 25 | 71 | 138 | 428 |
| Marhletown, | 298 | 293 | 40 | 223 | 310 | 1,164 |
| Rochester, | 194 | 179 | 21 | 178 | 202 | 774 |
| Mamacotting, | 95 | 62 | 13 | 65 | 84 | 319 |
| New Paltz, | 330 | 295 | 36 | 286 | 316 | 1,263 |
| Shawangunk, | 367 | 314 | 36 | 284 | 342 | 1,343 |
| Montgomery, | 561 | 419 | 58 | 519 | 540 | 2,167 |
| Wall Kill, | 419 | 296 | 15 | 345 | 325 | 1,400 |
| New Windsor, | 300 | 252 | 24 | 276 | 280 | 1,132 |
| New Burgh, | 429 | 282 | 37 | 368 | 371 | 1,487 |
| New Marlborough, | 491 | 385 | 24 | 402 | 366 | 1,618 |
| | | | | | | 15,697 |
| REFUGEES FROM THEIR USUAL PLACES OF ABODE BY REASON OF THE INVASION OF THE ENEMY. | | | | | | |
| Kingston, | 58 | 45 | 7 | 45 | 40 | 195 |
| Hurley, | 11 | 9 | 1 | 11 | 16 | 48 |
| Marhletown, | 33 | 16 | 7 | 24 | 29 | 109 |
| Rochester, | 27 | 28 | 2 | 38 | 23 | 116 |
| Mamacotting, | 47 | 45 | 2 | 37 | 37 | 168 |
| New Paltz, | 23 | 13 | 2 | 30 | 20 | 88 |
| Shawangunk, | 9 | 12 | 1 | 6 | 13 | 41 |
| Montgomery, | 17 | 18 | 1 | 27 | 17 | 80 |
| Wall Kill, | 11 | 11 | 1 | 8 | 10 | 41 |
| New Windsor, | 29 | 22 | 5 | 33 | 37 | 126 |
| New Burgh, | 36 | 28 | 6 | 42 | 44 | 155 |
| New Marlborough, | 12 | 8 | 1 | 8 | 8 | 37 |
| | | | | | | 1,205 |

(Indorsed.) The within is a True Number of all the White Inhabitants of Ulster County in the State of New York. Pursuant to Law. pr JNO SLEGHT, *Sheriff.*

## *List of White Inhabitants of Westchester County,* 1782.

[N. Y. Col. MSS. 102: 28.]

| TOWNS. | Head of Families. | Malls under 16. | Malls above 16 and under 60. | Malls above 60. | Femalls under 16. | Femalls above 16. | Refugees, malls under 16. | Malls above 16, under 60. | Malls above 60. | Femalls under 16. | Femalls above 16. |
|---|---|---|---|---|---|---|---|---|---|---|---|
| North Castel, | 92 | 112 | 73 | 13 | 106 | 122 | 13 | 4 | 1 | 12 | 10 |
| Bedford, | 270 | 417 | 242 | 42 | 338 | 434 | 24 | 20 | 1 | 21 | 26 |
| Pound Ridg, | 126 | 201 | 47 | 15 | 242 | 172 | 13 | 5 | ..... | 6 | 6 |
| Salem, | 130 | 200 | 62 | 4 | 189 | 206 | 26 | 36 | 1 | 30 | 28 |
| Eastward Cortland Manor, | 233 | 312 | 268 | 17 | 190 | 273 | 43 | 45 | 2 | 45 | 49 |
| Middleward Manor Cortland, | 293 | 365 | 318 | 24 | 352 | 374 | 116 | 93 | 5 | 116 | 90 |
| Westward Manor Cortland, | 128 | 143 | 116 | 8 | 123 | 128 | 64 | 67 | 3 | 63 | 63 |
| Ricks Patent, | 22 | 35 | 28 | 3 | 32 | 32 | ..... | ..... | ..... | ..... | ..... |
| | 1,294 | 1,785 | 1,154 | 126 | 1,472 | 1,741 | 199 | 275 | 13 | 293 | 272 |

A General return of the Number of White Inhabitants of the County of Westchester, taken from the returns of the respective Constables which it appears were by them taken exclusive of such parts of the precincts above mentioned as are most exposed to the enemy; and exclusive also of such precincts in which no Town officers have been chosen by reason of the Invasion of the Enemy, this 28th day of September, 1782.

JESSE HUNT,
*Sheriff of the County Westchester.*

## *Certificates of the Exchange of William Hogan and others.*

[N. Y. Col. MSS., 102: 23–26.] ALBANY, Sepr 3d 1781.

SIR: Altho' I am an Inhabitant of this State, I do not consider myself as owing allegiance thereto. Therefore pursuant to an Act of the Legislature of this State, I do hereby apply to your Excellency to be exchanged. WM HOGAN.

To his Excellency GEORGE CLINTON, Esqr Governor of the State of New-York.

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I hereby signify my Consent to the Exchange of the above named William Hogan, this 11th Day of Sepr 1781.

GEO. CLINTON.

Witness,
LIONs GANSEVOORT, Junr
STEWART DEAN.

Like Certificates of Exchange (same date) in favor of James Bramble, Zachariah Overmoref, Ralph Spooner, & Thomas Brown, with similar "Consents" attached.

Also Septr 4th 1781, Like Certificates in favor of Wm Shepherd, Joshua Bloore, & William Somer, with similar Consents.

Septr 6th 1781, Like Certificates in favor of Adam Gordon & John Wait,* with similar Consents.

Septr 7th 1781, Like Certificates in favor of George Collier & Joseph Johnson, with similar Consents.

Septr 8th 1781, Like Certificate in favor of James McCann, with similar consents.

Septr 14th 1781, Like Certificate in favor of Joseph Shearer,* with similar consents.

Septr 15th 1781, Like Certificates in favor of Duncan McPherson, George Rogers & John Feather, with similar Consents.

Septr 17th 1781, Like Certificates in favor of John Wees, John Muckle,* & James Miller,* with similar Consents.

---

*Return of the Persons banished at Albany.*

[N. Y. Col. MSS. 102: 30.]

List of the Names of Persons who have refused to take the Oath prescribed by a Law of this State to be taken by Persons of neutral and equivocal Character and who have in Consequence thereof been removed within the Enemy's Lines or detained by his Excellency the Governor for Exchange.

| | | |
|---|---|---|
| Richard Cartwright, | David Van Schaack, | Alexander White, |
| Peter Vosburgh, | Nicholas Stevens, | +Dirck Gardinier, |
| Lawrence Goes, | John Sherman, | Mathew Goes, Junr |
| Warner Pruyn, | Peter Van Schaack, | +John D. Goes, |
| William Rea, | Richard Minisee, | John Van Alen, |
| Barent Van Der Pool, | John Stevenson, | Henry Van Schaack, |
| Andries Huyck, | Absalom Woodworth, | +Lambert Burghart, |
| Benjamin Baker, | John Cumming, | Alexander Campbell, |
| Henry Van Dyck, | Isaac Man, | +Martin Crom, |
| James Dole, | John Kortz, Junr | Andries Ten Eyck. |
| Marte Van Buren, | | |

Those marked (+) were to have been sent down with the Van Schaacks but secreted themselves and could not then be found and are now at their respective Homes—they with the Van Schaacks &c. had been reserved for Exchange by the Governor.

STEWART DEAN,
JOHN M. BEEKMAN,
SAML STRINGER,
*Commissrs for Conspiracies.*

ALBANY, 8 Feby 1783.

---

*Deposition of Abraham Van Vechten respecting Vermont Rioters.*

[N. Y. Col. MSS., 102: 31.]

Dutchess County, ss:

Abraham Van Veghten of the County of Albany being sworn deposeth and saith, that about the beginning of the year 1782 he accompanied John Ten Broeck Esqr then Sheriff of the City and County of Albany from the Sd city to Schatecook in order to assist in Apprehending some Rioters at Saint Kaick, that they stopped at a Mr. Golls where they found Genl Gansevoort and Mr Peter Yates—that while there part of Col. Peter Yates' and part of Col. Henry Rensselair's Regts returned from where they said they had seen the Rioters, that Mr Dirck Swart one of Sd

* Dated in Schenectady.

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Troops informed Gen[l] Gansevoort in the deponent's hearing, that he S[d] M[r] Swart and Major Dickeson had been out to Bennington to try to make discoveries concerning the Rioters as to their Numbers & designs, That on their return from Bennington they fell in with a party about 200, at a house where the S[d] party were collected and endeavoured to disguise themselves for fear of being discovered by S[d] party; That there were a number of Persons rioters in the said House who got warm in the dispute with each other abo[t] the extension of their Claim. That the S[d] Swart and Dickenson after staying in a corner of the house some time, came off by a By road in which they went some distance then came into the main Road where they discovered the whole force of the Rioters, about 150 or 200 men, with a field piece. That they rode a small distance with some of them until they got an opportunity to get off the main Road and returned to where the militia were collected in the Evening—The next morning early the Militia from S[t] Kaick came down with S[d] Swart and Dickeson to M[r] Toll's where the deponent and the said Sheriff were, and related the whole of their discoveries as aforesaid to Gen[l] Gansevoort the S[d] Sheriff and the other Gentlemen then present, when it was determined by Gen[l] Gansevoort who took the Command to go back to Schatecook which was done, when there the deponent was informed there were Sev[l] prisoners taken from the Rioters (Gen[l] Gansevort, M[r] Peter W. Yates and said Sheriff then being at a separate house from where the deponent was) That imediately after M[r] Sheriff Ten Broeck came to the deponent with a paper in his hand which he said was a Mittimus from Justice Peter Yates to carry the prisoners down to Albany Goal, that S[d] Sheriff then applied to Gen[l] Gansevort for a Guard which was ordered immediately and which went down with the deponent and S[d] Sheriff to Albany, and that he saw them put into the City Hall, and that he never heard any of S[d] prisoners had escaped from the said Guard and further saith not.

POUGHKEEPSIE, 27[th] June 1783. ABR[M] VAN VECHTEN.

---

*Petition of the Executor of the late General Montgomery.*

[Assembly Pap. &c. 14: 214.]

To the honorable the Legislature of the State in Senate and Assembly convened:

In behalf of Lady Ranelagh sister and heir to the late Major General Richard Montgomery the Petition of Robert R. Livingston Ex[r] of the Last will & Testament of the said Richard Montgomery deceased Humbly Sheweth,

That in the year 1775, the Farm of the Late Gen[l] Montgomery situate near Kings Bridge was fixed on by the Hon. the Provincial Congress of this State as a proper situation for a fort; that in the same year fort Independence was accordingly erected there with its Dependencies by which means the Dwelling House, Barn, Outhouses, Woods, and a very fine Orchard situate on the said farm were utterly destroyed and the Farm itself, containing upwards of seventy-five acres so much impaired by being repeatedly stripped of its sod and cut up with Ditches as to be of little or no value. Now therefore your Petitioner prays that in consideration of the premises your honorable Body will be pleased to make such compensation to the said sister and heir of the said Gen[l] Montgomery either in specie or in unappropriated Lands as to your honors shall seem meet.

And your Petitioner shall ever pray, &c.,

NEW YORK, March 1st, 1785. ROB[T] R. LIVINGSTON.

---

*Petition of the Executor of the late General Montgomery.*

[Assembly Pap. 29: 211.]

To the People of the State of New York represented in Senate and Assembly:

The Petition of Robert R. Livingston surviving Ex[r] of Richard Montgomery late a Maj[r] Gen[l] in the service of the United States of America, humbly sheweth,

That the said Richard Montgomery was in his life seized in fee of a certain farm near Kingsbridge whereon fort independence was erected that he had expended

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considerable sums of money in building fencing planting & otherwise improving the same. That during the late war the said farm was occupied by the troops of the United States who erected a fort thereon by order of the provincial Congress of this State and as your petitioner has understood on an express promise from them that the injury the said Richard sustained thereby should be repaired by this State — that in consequence of the erecting of said fort & the long occupation thereof by the troops of the United States the said farm is so injured as to be at present of little value the houses being pulled down the timber and fruit trees destroyed, the fences even those that were made of stone levelled with the ground & the sods and soil of the meadows and pasture grounds being in many parts dug up. And your Petitioner further sheweth that the Viscountess of Ranelagh the sister of the said Richard was by his last will and testament constituted his residuary Legatee & devisee & thereby became intitled not only to the said farm but to all the compensation which the said Richard Montgomery had he lived, w^d have been entitled to receive from the State for the injury his estate sustained by the destruction of the said farm. Your petitioner therefore prays in behalf of the said Viscountess of Ranelagh that you would take these facts into consideration and if the circumstances of the State should render it inconvenient to compensate in money the loss she has sustained to make her such allowance out of the unappropriated Lands of this State as to them shall seem just and reasonable. And to enable her and her heirs to hold the same notwithstanding their not being natural born subjects of this State or in a situation to be naturalized therein. And that said provision may be extended to such Lands as the representatives of the late Gen^l Montgomery might be entitled to by a former law of this State. Your Petitioner is induced to make this request not only from the meritorious services of the said Richard Montgomery but from the loss his family have sustained by the note given for his pay while in the service of the United States & by the discharge of a considerable sum of money debts due to him in continental bills of credit which have depreciated in the hands of his representatives.

And your Petitioner shall ever pray &c. R. R. LIVINGSTON.

February 27, 1788.

In Senate Dec. 31 1788. Read & Committed to M^r Duane, M^r Yates and M^r Morris.

Report.

[Senate Jour. 12 Sess. 30.]

In Senate, Saturday morning, January 10, 1789.

Mr. Duane, from the committee to whom were referred, the petitions of Robert R. Livingston, Esquire, in behalf of the Countess of Renelagh, sister and devisee of the late Major-General Montgomery; and the petition of Erneste Guillaume Baron de Rottenborough, in behalf of himself and Louisa Henrietta his wife, sister of Capt. Charles Willyamoes, and of Maria Francoisa Judith Willyamoes; having examined the said petitions and several papers communicated to them on the subject thereof, reported, that it appears to the committee, that the said Major-General Montgomery was seized at the time of his death, of certain lands and tenements in this State. That his farm at Kingsbridge, whereon Fort-Independence was erected, with the buildings thereon, were occupied by the troops of the United States, during the late war, and thereby greatly injured. That the said General Montgomery, among other Officers of his rank, would have been entitled to a gratuity of acres of land from this State. That the Viscountess of Renelagh is, as represented to your committee, by his last will and testament, constituted his residuary devisee, and entitled to his real estate. That the said Viscountess is a subject of Great-Britain, resident in the kingdom of Ireland. That the said Captain Willyamoes, before the revolution, resided in this country; that he was a native of the Canton of Bern, in Switzerland, and became naturalized by a law of the then Legislature, as represented to your committee, and purchased lands and tenements both in New-York and New-Jersey; and died intestate and without issue, at Paris, on his way to settle in this State of New-Jersey, in the year 1785. That it is represented to

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your committee, that he left two sisters, the said Louisa Henrietta, the wife of the said Baron de Rottenborough, and Maria Francoisa Judith Willyamoes, who appear by the documents produced to your committee, to be coheiressess of his real estate, but that the said Maria hath transferred her right therein, to her said sister, who hath authorized her husband, the said Baron de Rottenborough, to manage the rights and estate which appertained to the said Capt. Willyamoes, in these United States, and to secure the legal title thereto.

That the principal object of both the said petitions, is to obtain a provision by law, that the two ladies respectively claiming the said estates, and their heirs, may enjoy the inheritance thereof; although they are not natural born subjects of this State, nor in a condition to be naturalized therein: And that the said Countess of Renelagh may have a provision made for her by law, for securing to her such lands as the said Major-General Montgomery may be entitled to by a former law of this State, with such addition thereto as they may think fit to grant, as a compensation for the injury alleged to be done to his property, in the manner aforesaid, and as a mark of public regard for the great and eminent services which he has performed for the United States, in the course of the late war, and the great loss his family have sustained, by his fall in storming the lines of Quebec.

That several other cases have come to the knowledge of the committee, under similar circumstances, with respect to the obstacle of claimants not being natural born subjects of this State, nor in a condition to be naturalized therein, and that it is highly probable, that a Legislative interposition will be sought for in those instances likewise: That the committee are therefore of opinion, that it will be best at once to provide a remedy, by a general law. It also appears to your committee, that it will induce to the emolument of the State, to facilitate the transfer of all such lands, claimed under the circumstances above mentioned, to citizens of this State, whose interest it will be to attend to the improvement and cultivation thereof.

That therefore, in the opinion of the committee it may be proper to direct a bill to be brought in, for the relief of all persons holding or claiming lands, tenements and hereditaments, within this State, under titles derived from the late Colony now State of New-York, before the nineteenth day of April, 1775; thereby enabling them to grant, bargain, sell and convey any such lands, tenements and hereditaments, to any of the citizens or subjects of any of the United States; and providing that such grants, sales and conveyances, with respect to such lands, tenements and hereditaments, shall be good and valid in the law, to all intents and purposes, notwithstanding the obstacle of alienism, or any doubt respecting the same, and as if such deeds and conveyances had been granted or made by a natural born citizen, of one of these United States, having the same right and title: Which report he read in his place, and delivered the same in at the table, where it was again read and agreed by the Senate. Thereupon,

*Ordered*, That the same committee do prepare and bring in a bill for the purpose.

---

*Deposition of Captain Jonathan Titus.*

The Deposition of Cap$^{t}$ Jonathan Titus Testifyeth and Says that he did Inlist Isaac Ketchum on the 21$^{st}$ day of Nov$^{r}$ in the Year of our Lord one Thousand Seven Hundred and Seventy-Six during the war and that he did serve until the 21$^{st}$ day of July one Thousand Seven Hundred and Seventy-Seven in the Rigment of the United States Commanded By Henry B. Livingston. Further Deponent Saith not.

JONATHAN TITUS,

HUNTINGTON the 13$^{th}$ of November. *Wonce Capt. in the forth Nork Reg$^{m}$.*

Personally appeared Before Me Capt. Jonathan titus Being Duly Sworn Saith that this Is A true Copy from the original.

Sworn Before Me this 13$^{th}$ of November 1793.

SELAH WOOD, Justice.

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